

THE CLERGY REVIEW

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ARTICLES

PAGE

- (1) The Alleged Ugliness of Christ 257
By the Rev. Bernard Leeming, S.J.
- (2) The Ends of Marriage 270
By the Rev. E. P. Ennis, S.J.

QUESTIONS AND ANSWERS

- (1) Public Prayers for Deceased Non-Catholics . . . 281
- (2) Indissolubility of Christian Consummated
Marriage 283
- (3) Women aged fifty and Fasting Law 285
- (4) Communion before Midnight Mass 287
- (5) Christmas Eve Fast 289
By Canon E. J. Mahoney

ROMAN DOCUMENTS

- "Studium" for Religion 291
- Sexual Initiation 292

BOOK REVIEWS

295

CORRESPONDENCE

- Our Latin Liturgy 314
- The Period of Low Fertility 316
- The Church in Cornwall 318
- Did our Blessed Lady Die? 318
- Marriage: Internal and External Forum . . . 319
- The Restored Paschal Vigil 320

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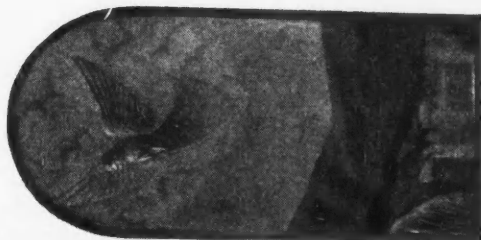
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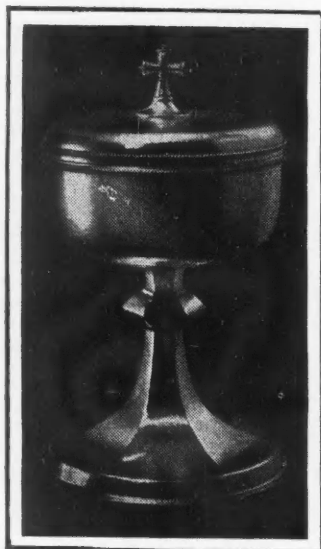
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The CLERGY REVIEW

NEW SERIES

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THE ALLEGED UGLINESS OF CHRIST

THE late Père Prat, in his excellent *Jesus Christ, His Life, His Teaching and His Work*,¹ cites N. Müller, who wrote in 1926, as listing Clement of Alexandria, Tertullian, Origen, St Justin, St Basil, St Isidore of Pelusium, St Cyril of Alexandria and Theodoretus as having held that Christ was ugly in appearance. Prat claims that only Clement and Tertullian were "guilty" of the charge.

Now, a good deal has been written in interpretation of the early writers and Fathers, which it would be tedious to recount here. In fact, the question, as regards writers before the sixth or seventh century, is wrongly put by asking: "Did these early Christians believe Christ to have been ugly, or handsome, in appearance?" The purely historical question as to His appearance was scarcely envisaged, and was alluded to only in connexion with more fundamental principles. These principles I venture to list, and then to discuss each of them sufficiently to make them more intelligible; one result of so doing will, I hope, be to clear both Clement of Alexandria and Tertullian of the charge against them. The principles are as follows:

1. Against the Gnostics and pagans, Christian writers deny that a God-man must necessarily have something god-like in outward form and appearance; and, in support of this, they cite Isaias, ch. liii, v. 2: "there is no beauty in him, nor comeliness: and we have seen him, and there was no sightliness, that we should be desirous of him". So, Origen² and Tertullian.³

2. Christ's real beauty was His divinity, His moral character, and the immortality He brought to the body. So, Clement of Alexandria,⁴ St Cyril of Alexandria,⁵ St Augustine,⁶ St John

¹ Note H: *The Portraits of Christ*, English Translation by John J. Heenan S.J. The Bruce Publishing Company, Milwaukee, 1950.

² *Contra Celsum*, bk. 6, n. 75 ff., Migne. P.G. 11, 1409 ff.

³ *De Carne Christi*, chs. 8 and 9, M.P.L. 2, col. 769 ff.

⁴ *Paedagogus*, bk. 3, ch. 1, M.P.G. 8, col. 558.

⁵ *Glaphyra in Exodum*, bk. 1, n. 4, M.P.G. 69, col. 395.

⁶ *Enarratio in Ps. xlv*, n. 3, M.P.L. 36, col. 495 and 496; in *Ps. cxviii*, *sermo* 31, M.P.L. 37, col. 1592, and elsewhere.

Chrysostom,¹ and other exegetes of the 3rd verse of Psalm xlv: "Thou art beautiful above the sons of men: grace is poured abroad in thy lips; therefore hath God blessed thee for ever."

3. The dispensation of the Incarnation and Redemption involved the choice of an ordinary and humble life, and hence Christ was not *conspicuous* for any bodily grace or nobility; and Christian moralists urge this in exhortations against undue attention to outward appearances, and against bodily adornment. So, St Justin,² the Syriac account of the preaching of St Thaddeus, as given in Eusebius,³ Tertullian.⁴

4. The Cross is an affront to worldly wisdom, and Christ Himself, in the moral order, becomes an affront to the whole range of worldly ideas: He appears unbecoming, unattractive, ugly; but not so much in a physical sense, as in mental apprehension of what He stands for, namely, denial of pride, self-indulgence and secular success. This is the main point made by Tertullian, which has been misunderstood by many, not seldom quite ludicrously.⁵

5. Christ appears to each according to his spiritual capacity to see. So, Origen,⁶ and St Augustine,⁷ who remarks that the Jews had not the eyes to which Christ could appear gracious.

6. At least to many beholders Christ must have appeared splendid, for otherwise He would not have attracted children and so many men and women. So, especially, St Jerome.⁸

With regard to the *first* of these principles, Origen tells us that in Celsus' work against Christianity, written about 178, the objection was made against the divinity of Christ: "If the divine spirit were incorporated in Him (Jesus), He most certainly ought to excel others in stature, or in voice, or in strength, or majesty or eloquence; for it is impossible that one who has

¹ *Expositio in Ps. xlv*, n. 2, M.P.G. 55, col. 185.

² *Dialogus cum Tryphone*, n. 88, M.P.G. 6, col. 687, and n. 100, col. 709.

³ *Ecl. Hist.*, Bk. 1, ch. 13.

⁴ *De Idolis*, ch. 18, M.P.L. 1, col. 689.

⁵ Cf. *De Carne Christi*, caps. 5, 6, 8 and 9, M.P.L. 2, cols. 760 ff., 771 ff.; *Adv. Marcionem*, bk. 3, chs. 2, 7 and 17, cols. 330 ff., 344; *De Patientia*, ch. 3, M.P.L. 1, col. 1252.

⁶ *Contra Celsum*, bk. 6, n. 77, M.P.G. 11, col. 1413 ff.; *In Matthaeum Commentariorum Series*, n. 100, M.P.G. 13, col. 1750 ff.

⁷ *Enarratio in Ps. cxxvii*, n. 8, M.P.L. 37, col. 1681.

⁸ *Epist. 65, ad Principiam*, n. 8, M.P.L. 22, col. 627; *in Matth. lxxix*, bk. 1, ch. 9, M.P.L. 26, col. 56; *ibid.*, bk. 3, ch. 21, col. 152.

something divine in Him should not differ from others. But this man Jesus was no different from others; indeed, as they say, He was small, and unsightly and ignoble." In answer, Origen says: "Admittedly, in truth, it is written that the body of Jesus became unsightly, but it was not, as Celsus says, ignoble; nor is it clearly indicated anywhere that He was of small stature." Then he quotes Isaias, ch. liii, which "Celsus uses to calumniate Jesus", and adds that Celsus does not allude to Psalm xlv, "thou art beautiful above the sons of men", and proceeds to argue that Christ varied in appearance, according to men's spiritual capacity to see.¹

Exactly the same objection was made to Tertullian by the Gnostic, Marcion, that Christ, if divine, must have had a heavenly body which would have manifested its origin by its very appearance. A body from this earth, of human origin, would necessarily be vile; and hence Christ must have taken His body from the heavens. In answer, Tertullian insists that Christ's body was a normal human body, with all the organs natural to a human body; and to confirm his arguments, he appeals to the fact that the men who knew Christ saw nothing extraordinary in His appearance, and that in His passion, far from anything radiantly divine shining forth, He was spat upon, despised, bruised. But there is one passage in which he refutes Marcion's notion of Christ's body being taken from some astral substance; and it has been so often misunderstood, and quoted as evidence that Tertullian thought Christ was ugly in appearance, that it will be worth while giving it *in toto*:

All these (nerves, bone, muscle, etc.) are signs of an earthly origin, and existed in Christ's body, too; and it was all these which concealed the truth that He was Son of God, since He would not otherwise have been thought a mere man, unless He had the substance of a human body. Or, do you mean to say there was in Him something heavenly, borrowed, doubtless, from the Plough or the Pleiades, or the Hyades? What we enumerated, are as sure proofs in Him of an earthly body, as they are in us of our own earthly bodies. I can find nothing unusual, nothing extraordinary in Him. It was only by His words and deeds, only

¹ Against Celsus, bk. 6, n. 75, M.P.G. 11, col. 1409 ff. Charles de la Rue has an interesting note to the passage.

by His teaching and His miracles, that He roused men's wonder. Had there been anything unusual in His flesh, it would have been pointed out as another miracle. No, the actual condition of His earthly body was no marvel, and that it was that made men marvel at other things about Him. When they said, 'how came this man by His doctrine and mighty works', it is clear they looked down upon His outward form; for His body had no human impressiveness about it, to say nothing of any heavenly glory. Even though the prophets had not spoken to us of His despised look (Isaias liii, 3), His sufferings and the contumely He bore speak for themselves: the sufferings prove His real human flesh, the contumely, that it was unimpressive. Would any one have dared to raise his hand to strike a body which was unusual and wonderful, or to defile with spittle a countenance, unless it were fit for such treatment? Why do you say that flesh was heavenly, when you can give no reason for calling it heavenly? Why do you deny it is earthly, when you have reason for acknowledging it is earthly? He was hungry in the desert, He thirsted by the well side, He wept over Lazarus, He trembled at death. 'The flesh,' He says, 'is weak.' At the end He shed His blood. Such, I suppose, are signs of heavenly origin! But how, I repeat, could He have been contemned and afflicted, as I have said, if some heavenly glory had radiated in that flesh? And this is our convincing argument that there was nothing heavenly in that flesh, because it could be contemned and afflicted.

As the passage has so often been alleged as showing that Tertullian believed Christ to have been ugly, I give the Latin:

Haec omnia terrenae originis signa et in Christo fuerunt: haec sunt quae illum Dei Filium celavere, non alias tantummodo hominem existimatum, quam ex humani substantia corporis. Aut edite aliquid in illo coeleste de Septemtrionibus, et Vergiliis, et Suculis emendicatum. Nam quae enumeravimus, adeo terrenae testimonia carnis sunt, ut et nostrae. Sed nihil novi, nihil peregrinum deprehendo. Denique, verbis tantummodo et dictis, doctrina et virtute sola Christi, homines obstupescabant. Notaretur etiam carnis in illo novitas miraculo habita. Sed carnis terrenae non mira conditio: ipsa erat, quae caetera eius miranda faciebat. Cum dicerent: *Unde huic doctrina et signa ista*, etiam despicientium formam eius haec erat vox. Adeo nec humanae

honestatis corpus fuit, nedum coelestis claritatis. Tacentibus apud nos quoque Prophetis de ignobili aspectu eius, ipsae passiones, ipsaeque contumeliae loquuntur: passiones quidem, humanam carnem; contumeliae vero inhonestam probavere. An ausus esset aliquis ungue summo perstringere corpus novum, sputaminibus contaminare faciem, nisi merentem? Quid dicis coelestem carnem, quam unde coelestem intelligas, non habes? Quid terrenam negas, quam unde terrenam agnoscas, habes? Esuriit sub diabolo, sitiit sub Samaritide, lacrymatus est super Lazarum, trepidavit ad mortem. *Caro* enim, inquit, *infirm*a. Sanguinem fudit prostremo. Haec sunt, opinor, signa coelestia. Sed quomodo, inquam, contemni et pati posset, sicut et dixi, si quid in illa carne de coelesti generositate radiasset? Ex hoc ergo convincimus nihil in illa de coelis fuisse, propterea ut contemni et pati posset.¹

The expression, "nec humanae honestatis corpus fuit", finds an echo in other of Tertullian's writings, and is derived from Isaias liii, 2, 3 and 4: "despised and the most abject of men, a man of sorrows, and acquainted with infirmity: and his look was as it were hidden and despised, whereupon we esteemed him not. Surely he hath borne our infirmities and carried our sorrows: and we have thought him as it were a leper, and as one struck by God and afflicted". The Latin is "vultus eius despectus", His face, His countenance, was despicable; and Tertullian in four other places uses the word *inhonestus* of Christ's appearance,² but in each of these places he is referring to the first and the second coming, and cites Isaias as summing up the lowliness of the first coming, in contrast to the glory of the second. To take what Tertullian says of the appearance of Christ in His passion as meaning that he thought Christ appeared all through His life as He did after the scourging and crowning with thorns, is a most arbitrary interpretation; and, moreover, takes no account of the context and the argument which Tertullian is using. In every single place in which he speaks of the "inhonestas" of Christ's appearance, his argument is against those who denied the reality of Christ's human flesh, or against

¹ *De Carne Christi*, cap. 9, M.P.L. 2, cols. 772, 773.

² Cf. *Adv. Iudaeos*, c. 14, M.P.L. 2, cols. 639 and 641; *Adv. Marcionem*, ch. 7, *ibid.*, cols. 329 and 331.

the Jews, who held that the Messiah must come in glory and external majesty. In both cases, Tertullian cites Isaias, and his citation is a valid argument; but to extend it beyond its scope is both arbitrary and unfair. He refers only to the passion.

Nevertheless, the expression "an aliquis esset ausus sputaminibus contaminare faciem, nisi merentem", literally, "would anyone have dared to spit upon a face, unless fit for such treatment", has been the occasion of mistaken deductions. Rigault, for instance, taking the *merentem* as meaning *deserving* or *meriting*, bursts into pious indignation, and says: "Who would not shudder at the audacity of such a saying?—that the face of Christ deserved to be spat upon! worthy to be defiled with spittle! Forgive, Christ!" But Rigault quite misses Tertullian's point; Tertullian means that there was nothing of heavenly glory in Christ's face which would have prevented outrage, that His face was such as could be ill-treated just as any other human face, especially as it had been bruised already. A mere glance at the following sentence makes this clear: "Why do you say that flesh was heavenly, that is, not ordinary human flesh?"—since it is such that men could spit upon it without fear.

Prat, and L. Janssens, likewise, misunderstand the passage. After quoting the words: "Tacentibus apud nos prophetis de ignobili aspectu eius, ipsae contumeliae loquuntur: passiones humanam carnem, contumeliae inhonestam probavere. An ausus esset aliquis ungue summo perstringere corpus novum, sputaminibus contaminare faciem, nisi merentem," Prat says: "Tertullian's argument is worthless. History speaks of martyrs who were ferociously attacked by their executioners precisely for the purpose of disfiguring them and so lessening the sympathy of the spectators."¹ Were Tertullian, indeed, trying to demonstrate that Christ was physically ugly, his argument would be worthless; but he is far from trying to prove this. His point is quite different. He is proving that Christ's body was not "novum", not strange, singular, wonderful, bearing the marks of a heavenly origin; and that Christ's face was not radiant with some celestial glory, but such as had nothing in it to

¹ Op. cit., append. "The Supposed Ugliness of Christ", p. 497; L. Janssens, *De Deo-homine*, I, p. 507.

prevent affront and defilement. The "nisi merentem" does not mean that Christ's face *deserved* to be spat upon, but was such that it could be spat upon without fear, as it had nothing marvellous or obviously divine about it.

Dr Robert Eisler translated the passage thus: "No one would have mishandled, much less spat upon, Jesus, had not the face of the condemned, so to speak, provoked his tormentors to such brutality."¹ This translation, objectively, must be accounted as not less than dishonest. It entirely omits the words "novum corpus"; and the turning of the "merentem" into "provoked" is a subtle twist of the meaning which might be justified were the sentence to be translated quite apart from its context, but which, in the context, can find no warrant whatever. Tertullian is maintaining the true Christian doctrine that Christ's human body was a normal human body, and not some celestial phantasm different from ordinary "vile bodies"; to make him say that Christ was so ugly that His ugliness provoked outrage, or even that Christ was really ugly at all, is to wrest words from their context and clear meaning.

As regards the *second* principle, that Christ's real beauty lies in His divinity, His moral character and the immortality He brought to the human body, not much need be said. Several of the Fathers in commenting on the text of Psalm xlv: "Thou art beautiful above the sons of men: grace is poured forth in thy lips; therefore God hath blessed thee for ever. Gird thy sword upon thy thigh, O thou most mighty," point out that Christ is not said to be beautiful *among* the sons of men, but *above* them, which they take to indicate His divinity.² And they understand the "grace poured forth on his lips" and the "sword", as being His doctrine, His mercy, justice, truth and goodness: it is these which constitute the real beauty of Christ, and not mere physical comeliness. It is odd that Prat understands Clement of Alexandria to have held that Christ was ugly; and quotes him as follows: "The Holy Spirit testifies through Isaias that the Lord was ugly of countenance," and refers to *Paedagogus*, iii, 1. Now in this passage, Clement is insisting that real beauty does not

¹ *The Messiah Jesus and John the Baptist, according to Flavius Josephus*, by Robert Eisler, English ed. by A. H. Krappe, Methuen, London, 1931, p. 432.

² So, St John Chrysostom, in loc. M.P.G. 55, col. 185; Theodoretus, in loc., M.P.G. 80, col. 1190; St Basil, in loc., M.P.G. 29, col. 395; St Augustine, iam cit.

consist in external ornamentation, but in the interior ornamentation of the body which is freedom from the servitude to death, that is, immortality. Another true beauty, he says, is charity, which seeks not what is not one's own, that is, extrinsic adornment. The love of show, he says, seeks extrinsic aid, because it is far from God, and the Word and charity. "The Lord Himself, as the Holy Spirit witnesses through Isaias, became unsightly in look: 'And we have seen him, and he had no sightliness, nor beauty; but his look was despised and most abject among men.' Who is better than the Lord? But He did not manifest the beauty of the flesh, beauty to the outward eye, but the beauty which is true in soul and body: in soul, the beauty of goodness, in body, the beauty of deathless flesh."¹

The *third* principle, that the whole dispensation of the Incarnation was one of humility and simplicity, is often affirmed by the Fathers in contrasting the two comings of Christ. Prat's remark about St Justin is excellent, and applies to Tertullian, likewise: "St Justin repeats time and time again that there are two comings of Christ: one when he appears mortal (*θνητός*), passible (*παθητός*), without glory (*ἄδοξος*), without honour (*ἀτιμος*), and without beauty (*ἀειδής*); the other when he shall appear glorious, impassible, immortal, etc. Thus, when he is called *ἀειδής*, there is no question of any *special* ugliness in him as compared to other men, but merely of a contrast between the two states and the two comings."² To which, however, it should be added that the humiliation of the first coming is contrasted to the *glory of the divinity*. Tertullian, for instance, says that Christ, in His first coming, was *sibi ipsi contumeliosus*, was a reproach to Himself; which Rigault understands to mean that His countenance because of its unsightliness was open to

¹ M.P.G. 8, cols. 557-8. In two other passages Clement refers to the outward appearance of Christ: in one he refers to "the formlessness and unsightliness" of Christ as leading us to think of the formlessness and invisibility of God—a play upon Greek words which is untranslatable into English; in the other, he says merely that Christ did not choose a body of such external impressiveness that sight of it would lead men to fail in attention to His doctrine and His spiritual being. Cf. *Stromata*, 3, ch. 17, M.P.G. 8, col. 1208, and 6, ch. 17, M.P.G. 9, col. 381. In both places, the reference is to Isaias, and to the Passion, and give no sound indication whatever as to Clement's opinion as to Christ's physical appearance, even if he ever formed one.

² Op. cit. p. 498; the references to St Justin are *Apol.* 1, 52, M.P.G. 6, 405; *Dial. cum Tryph.* 14, 49, 85, 121, M.P.G. 6, 503, 584, 675, 757.

shame and abuse.¹ In fact, however, Tertullian means nothing of the kind. He is praising the patience of God, in enduring men's sins and men's unbelief, and then goes on:

"These are examples of the divine patience, which we perceive, as it were from afar off and above us. But what shall we say of instances of it which we have seen before our own eyes here upon this earth? God allowed Himself to be carried in the womb of a mother, and awaits there, and being born, He undergoes human growth, and having grown up, He does not so act as to be recognized (as God), but makes Himself a reproach to Himself, and is baptized by His servant, and repels the onset of the tempter by words only, making Himself, instead of Lord, a mere teacher, instructing men how to escape to safety, that is, by learning to be patient in forgiveness; He does not contend, He does not complain, nor is His voice heard in the streets, the bruised reed He does not break, the smoking flax He does not extinguish." How Rigault could understand from this passage that Tertullian held Christ to have been ugly is a mystery: God, in the Incarnation, does things which are seemingly unworthy of Him, in allowing Himself to be baptized and in enduring the temptations of the devil. There is simply no question here of anything except the hiddenness of the Godhead in the Incarnation and in the humble life of Christ.

The *fourth* principle, that the dispensation of the Cross is an ugly thing to worldly minds, is put by Tertullian in his paradoxical style, and has been most grievously misunderstood. The Cross, and all it stands for, is what Tertullian calls the "*dedecus fidei*", the shame of the faith, but a shame which is in reality the glory of faith. But Eisler, for instance, understands the "*dedecus fidei*" as the ugliness of Jesus: "To one moved to deny the unsightliness of Jesus Tertullian makes an appeal: '*Quid destruis necessarium dedecus fidei?*'"² "Why dost thou destroy the necessary shame of the faith?" Rigault, also, has a strange remark about this *dedecus fidei*: "Why dost thou destroy the

¹ Cf. *De Patientia*, ch. 3, M.P.L. 1, col. 1252, note h: "*Sed contumeliosus insuper sibi est—Facies per deformitatem obnoxia probris et concitiis. Nempe haec apud Isaiam verba: Vidimus eum et non habebat speciem neque decorem, non de tempore passionis tantum, sed de nativa corporis conformatione Septimus accipi voluit, ut prae deformitate factus ad contumelias videretur, adeoque ait ipsum sibi fuisse contumeliosum.*"

² Op. cit., p. 432.

necessary shame of the faith? Whatever is unworthy of God, is of profit to me.' This could be said also to those who, contrary to the tradition of Tertullian and of all ancient writers, imagine Christ to themselves as handsome in mien and countenance."¹

Now the passage in which this misunderstood phrase "*dedecus fidei*" occurs is a famous one; and although it does not strictly bear upon the question of Christ's physical appearance, nevertheless it is worth quoting in full, not only to show the falseness of Eisler's application of it, but also on its own merits. Marcion had argued that for God to be born, to be crucified, to be buried, was unworthy, shameful, stupid and unreasonable, and hence Christ must only have *appeared* to do these things, since He had not a really human body. Tertullian answers that Marcion judges only by worldly standards; the test of Christian faith lies precisely in its not being ashamed of what the world considers shameful and foolish—"I shall be saved," he says, "if I am not ashamed of my Lord." But on the hypothesis that Christ did not really suffer, the test of faith is eliminated, for that test consists in finding real occasion for perplexity about Christ, or for being ashamed of Him, and yet turning that very occasion into an opportunity to despise the shame and prove oneself "splendidly shameless and felicitously foolish":

But answer me, you who murder truth, was not God really crucified? Did He not really die, having been really crucified? Did He not really rise again, having really died? Falsely, therefore, did Paul resolve to know nothing amongst us save Jesus and Him crucified? Falsely he impressed on us that He was buried? Falsely he insisted that He rose again? False, therefore, is our faith, also, and all that we hope for from Christ is a phantom? Most infamous of men, thou who declarest *Not Guilty* the murderers of God. For nothing did Christ suffer from them, if in fact He suffered nothing at all. Spare the sole hope of the whole world. Why destroy the necessary shame of the faith? Whatsoever is unworthy of God is of gain to me. I am safe if I am not ashamed of my Lord. "He who shall have been ashamed of me," He says, "I, too, shall be ashamed of him." Other

¹ "Quid destruis necessarium dedecus fidei? Quodcumque Deo indignum est, mihi expedit.' Hoc dici potest etiam iis, qui adversus Tertulliani et omnium veterum scriptorum traditionem, Christum statura vultuque formosissimum sibi imaginantur." Note on *De Carne Christi*, ch. 5, M.P.L. 2, col. 761.

matters for shame find I none, which prove me, through my very contempt of shame, splendidly shameless and felicitiously foolish. The Son of God is born: I am not ashamed, because one ought to be ashamed: and the Son of God died: it is entirely believable, because it is absurd: and, being buried, He rose again: it is a certain fact, because it is impossible. But how will these things be true in Him, if He Himself was not true, if He had not really in Himself that which might be crucified, might die, might be buried and might be made to rise again—in a word, flesh and blood, built up with bones, interwoven with nerves, entwined with veins, which knew how to be born and to die? Human flesh it was, without a doubt, because Christ is man and son of man. Else, why is Christ man, and son of man, if He has nothing of man and nothing from man? . . . Why split Christ in half with a lie? The whole of Him was truth. Believe me, He preferred to be born, rather than to be false in any way, and especially to be false against Himself: to have flesh hard without bones, solid without muscles, bloody without blood, clothed without skin, hungry without appetite, eating without teeth, speaking without a tongue, so that His words were a phantom to the ears through an imaginary voice.¹

It is more than plain that the *dedecus fidei* has nothing whatever to do with the question of Christ's supposed ugliness; he does not, as Eisler says he does, appeal to anyone "who denied the unsightliness of Christ" with the "Why destroy the necessary shame of the faith?" He appealed with that question to Marcion, who denied the reality of Christ's human body and wished to substitute some mere phantastic appearance, as the context makes abundantly clear. That Eisler should so distort the text of Tertullian is an indication of his general reliability.

The *fifth* principle, that Christ appeared to each according to his spiritual capacity to see, is put very clearly by Origen, and equivalently by St Augustine. In proof of this, Origen appeals in his work against Celsus, to the transfiguration, when Christ appeared so overpoweringly wonderful that the Apostles fell prostrate, and to the scene in the garden when Christ said "I am He", and "they went backward and fell to the ground". In his commentary on Matthew, which survives only in a Latin translation, he says that there was a tradition, not only that

¹ *De Carne Christi*, ch. 5, M.P.L. 2, cols. 760 and 761.

Christ changed His appearance at the Transfiguration, but that "He appeared to each according as he was worthy,"¹ somewhat as the manna in the desert proved just sufficient for the needs of the Jews, whether they gathered more or less (Exodus xvii, 18). Prat thinks that Origen was following the apocryphal Gospels, in which Christ is represented as taking the appearance of different apostles; but the suggestion seems unnecessary, as Origen in both places where he mentions the matter refers also to the revelation of the divine nature in Christ, which revelation varies according to the dispositions or prejudices of those who hear it: to the worldly it seems foolish, to the humble it seems profound and wise. Hence Christ, in His totality, to the "sons of men" appears to be "without comeliness or beauty"; but to those who follow Him, and receive power to go up the mountain with Him, He appears divine.² St Augustine, in commenting upon the two texts: "There is no beauty in him, nor comeliness" (Isaias liii, 2), and "With thy comeliness and thy beauty set out, proceed prosperously and reign" (Ps. xlv, 5), applies both in a spiritual sense: the ugliness and the beauty are taken, not literally, as applying only to the body, but typically, as applying to the inner meaning of Christ. To the eyes of faith, Christ is beautiful, even in His Passion, when His sacred face is bruised and deformed; to the eyes of the unbeliever, Christ is always ugly, a scandal to the Jews, and a foolishness to the Gentiles. The following passage, as Janssens rightly says,³ sums up St Augustine's outlook:

As to the very fact that He took flesh, so that it could be said of him, "we have seen him, and he had no beauty nor comeliness", if you consider the goodness which made Him take flesh, you will see beauty even there. The prophet spoke in the person of the Jews, when he said "we have seen him and he had no beauty nor comeliness". Why so? Because they did not understand. But to those who do understand "and the Word was made flesh", there is great beauty. "God forbid that I should glory," said one friend of the Spouse, "save in the cross of our Lord Jesus Christ." Far from being ashamed of it, you must even glory in it. Why, then, had He no beauty nor comeliness? Because

¹ M.P.G. 13, col. 1750.

² *Contra Celsum*, bk. 6, n. 77, M.P.G. 11, col. 1416.

³ *Op. cit.*, p. 510.

Christ crucified is a stumbling-block to the Jews, and foolishness to the Gentiles. Yet, why, even on the cross, was He comely? Because the foolishness of God is wiser than men, and the weakness of God is stronger than men. To us who believe, the Spouse everywhere appears beautiful. Beautiful as God, "the Word with God; beautiful in the womb of the virgin, where He lost not His divinity and assumed humanity; beautiful was the Word born an infant; because, when He was an infant, when He was suckled and carried in human arms, the heavens gave tongue, Angels burst into praise, a star guided the Magi, and He was adored in the crib, the food of the meek. Beautiful, then, in heaven, beautiful on earth; beautiful in the womb, beautiful in the arms of His parents; beautiful in His miracles; beautiful in His scourging; beautiful in His invitation to life, beautiful in His disregard of death; beautiful in laying down His life, beautiful in taking it up again; beautiful on the cross, beautiful in the tomb, beautiful in heaven. Your intelligence should hear the Psalm; and the weakness of the flesh ought not to turn your eyes from the splendour of His beauty. The Highest and true beauty is rightness (*justitia*); you will not see Him as beautiful, if you apprehend Him as not right; but if He is everywhere right, everywhere He is beautiful.¹

Of Christ's persecutors, he says, that they would not have attacked Him, unless He had seemed ugly to them, "for they had not the eyes, to which Christ could have appeared beautiful".²

To end this discussion of patristic views, St Jerome remarks that unless "Christ had had something starry in His face and His eyes, the Apostles would not have followed Him so promptly nor would those who came to capture Him have fallen back";³ and "surely the gleam and majesty of His hidden divinity, which shone forth even in His human face, could draw to Him at once those who looked at Him. If a magnet has power to draw iron to it, and amber power to attract stalks, how much more could the Lord of all draw to Him whomsoever He wished."⁴

It is clear that none of these writers based themselves upon any strictly historical account of Christ's actual physical appear-

¹ *In Ps.* xliv, M.P.L. 36, col. 495; and cf. *Sermo* 44, M.P.L. 38, col. 258; *Sermo* 27, M.P.L. 38, col. 181.

² *In Ps.* cxxvii, M.P.L. 37, col. 1681.

³ *Ep. ad Principiam*, n. 65, M.P.L. 22, col. 627.

⁴ *In Matt.* i, 9, 9, M.P.L. 26, col. 56.

ance, and when touching on the question whether He were comely or unprepossessing, refer only to the prophets, and make doctrinal arguments or moral exhortations. It is not even true to say, as Percy Dearmer says in the *Dictionary of Christ and the Gospels*,¹ that there was "early controversy as to the appearance of Christ", and there "arose two schools—those who held that He was 'fairer than the children of men', and those who, in their reaction against the vices of pagan beauty-worship, declared that He had 'no form nor comeliness'." The early writers and Fathers of the Church were concerned to defend His real humanity, and the truth of His teaching; none, with the possible exception of St Jerome, envisage the question whether in historical fact, apart from the Passion, Christ was handsome or otherwise. The doctrinal and moral questions involved loomed so far larger in their minds that they could scarcely picture Christ to themselves apart from His spiritual impact on the mind. As far as the tradition up to the seventh century takes us, there is no evidence whatsoever about the physical appearance of Christ, not even whether He was handsome or ugly.

BERNARD LEEMING, S.J.

THE ENDS OF MARRIAGE

READERS of this REVIEW will be well acquainted with the allocution given by the Holy Father to the annual congress of Italian midwives and obstetricians on 29 October last year.² The publicity which it received in the national press had the advantage of provoking thoughtful consideration of at least part of its contents. The controversy, however, centred upon but a few paragraphs in an allocution of some 7000 words; there were other passages in the address which perhaps so far have not received the same attention or consideration. In the final section of his address the Holy Father had occasion to refer to the right

¹ *Art. Christ in Art*, vol. 2, pp. 314-15.

² See THE CLERGY REVIEW, 1951, XXXVI, pp. 379-91; 1952, XXXVII, pp. 45-51.

order of values in marriage and made brief reference to various modern theories. It may be useful, therefore, to consider these theories more at length and their relation to the Church's teaching succinctly expressed in canon 1013. It is not, however, intended to embark upon a detailed study of the precise relation between the personal and social ends of marriage.¹ This article attempts no more than to provide some material for a better appreciation of certain passages of the Holy Father's allocution, and at the same time to restate the Church's traditional interpretation of the relevant canon.

At first sight it might seem that the Code of Canon Law excludes, for Catholics at least, all possibility of discussion or theorizing concerning the end or purpose of marriage. For canon 1013, §1, states unequivocally that "The primary end of marriage is the procreation and education of offspring, and the secondary end is that of mutual help and the remedy for concupiscence." Nevertheless, in spite of this precise definition, there has been within recent years much discussion of the Church's traditional view of marriage. Nor has this discussion been confined to the ranks of those without the Church; even within the fold there have been those who have challenged her teaching. We are reminded of this by the recent words of the Holy Father. "Personal values," he says, "and the need to respect them is a theme with which writers have been increasingly busy during the past twenty years, and in many of their works the specifically sexual act also is assigned its place as a factor in the personality of man and wife. The distinctive and fundamental significance of the exercise of the conjugal act, so they say, consists in bodily union being the expression and fulfilment of a union that is personal and affective. . . . Should a new life spring from their complete and reciprocal self-giving, this is to be considered as a result external or at the best peripheral to 'personal values'; a result not refused, but still not to be regarded as holding a central place in marital relations."²

¹ Cf. *Nouvelle Revue Théologique*, May-June 1951, for a recent contribution to this question.

² Address of Pope Pius XII, 29 October, 1951: translation from *THE CLERGY REVIEW*, January 1952, p. 45.

An interesting example of this attitude to procreation is given by Canon H. Warner, writing in the *Spectator* (16 November, 1951). He says that there are three current views in the Church of England about the moral validity of the use of con-

The implications of these views are such that they cannot be entirely ignored, for this relative appreciation is not merely a question of emphasizing the value of the persons of the married couple rather than that of the offspring. If it were merely a matter of emphasis, then, as the Holy Father continues: "the problem might, strictly speaking, be left alone. But what is really at stake is the order of values and ends which the Creator Himself has established, an order which is here being seriously upset. What confronts us in fact is the propagation of a complex of ideas and sentiments directly opposed to the clarity, the depth and the seriousness of Christian thought."¹ It is therefore apposite to consider the content of these various theories, their implications and their divergence from the traditional teaching of the Church.

That the high ideal of Christian marriage, as instituted by its Founder, is now no longer maintained by the non-Catholic world requires little demonstration. The annual divorce figure for England and Wales—in the region of thirty or forty thousand—is an indication that there are many who do not consider that the consent, which constitutes marriage, gives rise to a duty of exclusive and perpetual fidelity: and the implication of this is that such people do not consider the rearing of children to be an end of marriage at all, since this activity essentially demands, as a corollary, a permanent, stable and faithful union. Recent articles in the national press and weekly periodicals, in their wholehearted advocacy of birth-control, implicitly deny either that the primary end of marriage is the procreation and education of offspring, or that there is an essential subordination of the secondary to the primary end. It must, indeed, be admitted that such views on marriage are no more than what might be called "unthinking popular opinion", and that the majority of the writers of such popular articles do not form their views on

traceptives. "The third group," he says, "holds that the 'unitive achievement of sexual intercourse within marriage is the basic factor of marriage' and procreation is God's gift to the union." I.e. "a result not refused, but still not to be regarded as holding a central place in marital relations". It is only fair, however, to add the Canon's subsequent qualifying sentence: "They would admit the legitimacy of a general use of contraceptives within marriage to sustain the unitive element through regular intercourse, while insisting on the moral duty of every couple (except for the gravest reasons) to have a proper-size family of children."

¹ THE CLERGY REVIEW, loc. cit., p. 46.

any sound basis of moral principles, but are rather led to their conclusions from motives of sentiment and expediency.

But even if one abstracts from this froth of popular opinion and turns to the modern non-Catholic writers who have *ex professo* expressed their views on the nature and purpose of marriage, one finds only an insidious justification of those same views based on false principles. These writers have succeeded in producing theories that condone the dissolubility and "free use" of marriage. According to their writings marriage is love: and by love they do not mean the virtue by which man and wife wish to communicate to each other the benefits proper to marriage, but rather the selfish love of passion. Love in this sense, they say, is the well-spring of marriage; because of love marriage is undertaken, and in love the full completion of marriage is found. In short, they would say that where there is love there is marriage; if love fails then so does marriage, or so at least it ought to, because its very foundation and meaning have disappeared. Hence for these writers the essence of marriage is the union achieved in marital love, and its purpose is the enjoyment of this love. Whatever other ends marriage may have are entirely dependent on the free will of the parties. The theory in its extreme form is exemplified by Van der Velde in his book *Ideal Marriage*. He maintains that marriage is the physical union of the parties for its own sake. The work is a development of the "technique of love"—more appropriately called the "technique of lust"—in which the author sets out to explain how the fullest possible satisfaction can be obtained from marriage, that is, from the physical act. The implications of such views are not hard to see. Apart from the fact that they ignore entirely the declared intentions of Him who instituted marriage and re-established it in the New Dispensation, of Him who, in the words of *Casti Connubi*, "provided marriage with its laws"—apart from this, they seem to take no account of the natural end of the conjugal act, nor, indeed, of the social aspect of marriage. For marriage constitutes the fundamental unit of society, *sc.* the family, and if the unity of that basis is subject entirely to the vagaries of marital love, and breaks up in default of such love, then human society cannot be said to have any solid basis at all. But mankind has an innate capacity and need as a social animal

for the co-operation of human society, and it is a plain contradiction to assert that God could so create and endow man's nature, and at the same time vitiate the basic realization of this particular aspect of it.

Such, then, in brief are some of the modern views on marriage and their implications. But in recent years Catholic theologians, too, have paid considerable attention to the doctrine of Christian marriage, and the tendency of much of the writing on this subject has been to reconsider the relative importance of the ends of marriage. Some have maintained that the secondary ends of marriage should receive greater emphasis and that prominence should be given to the element of conjugal love, while others have gone so far as to deny that procreation is the primary end of marriage.

In 1935 a book entitled *The Meaning and End of Marriage*¹ by Dr Doms, Doctor of Theology in the University of Breslau, was published, and evoked considerable discussion. According to his theory, the immediate and innate "sense"—to use his own term—of marriage is the particular and intimate union of two persons of opposite sex, which union in the real order is represented and realized by the physical union obtained in the marriage act. This "meaning" or "sense" of marriage is what he calls the "two-in-oneness": it is not procreation or the mutual help of the partners, nor even love, but—to quote the work—"it is rather the community of life itself of two persons who make but one person, a community of life embracing the whole human being, from the spiritual sphere, through that of sense and into the bodily. . . ."² Marriage, considered as the "two-in-oneness" of the spouses, "is not," says Dr Doms, "constituted by their mutual ordination to an end outside themselves to be obtained by their union (e.g. procreation or mutual help) . . . but rather by the living and perpetual ordination of a man and woman to one another until they are one".³ He admits, of course, that the physical union is directed to two remoter ends, namely the personal and biological ends, but he rejects the hierarchical order of these ends whereby everything is referred

¹ *Vom Sinn und Zweck der Ehe*. French trans. *Du sens et de la fin du mariage*, 1937, 2nd ed. All references to this French translation.

² *Loc. cit.*, p. 107.

³ *Loc. cit.*, p. 107.

to procreation as primary, and in fact he denies that procreation is the primary end, if "end" is to be understood in its strictly philosophical sense of "a final cause". Thus Dr Doms maintains that the marriage act has an inherent meaning quite apart from the ends to which it is orientated. Its primary meaning is the making of a complete reality of the partners' common life—the "two-in-oneship"—and this meaning is quite independent of the further orientation which the act naturally has to procreation. The realization of this "two-in-oneship" is its proximate objective purpose, and "accordingly," he says, "the exercise of the living act of two-in-oneship contains in itself an immanent meaning which is in some sense an end unto itself".¹

Clearly, Dr Doms is not employing traditional terminology—never to be jettisoned lightly; indeed, he explicitly states that ". . . it would be better for the future to give up the terms primary and secondary and to speak, in a purely realistic and descriptive manner, of the personal ends inherent in marriage and of procreation, distinguishing both of these from the meaning of marriage. . . . There is no longer sufficient reason to call procreation the primary end in the sense intended by St Thomas, nor to suppose the other ends to it as secondary."²

This brief summary—necessarily inadequate and incomplete—indicates that Dr Doms adopts a "personalist" view of marriage, which makes "the principal and primary purpose not the child but the mutual formation and perfection of the partners in the natural, ontological, and above all in the supernatural order".³

The novel use of traditional terminology is a serious *a priori* objection to the theory. But there are others. The insistence on a real distinction between the meaning of marriage and its ends, on marriage "being something" before "being for something", would seem to constitute marriage an entity in the physical order. Dr Doms talks of the "living reality of marriage" which "is not identified with the exchange of consent, nor with the usual juridical consequences of the marriage contract".⁴ But in no literal sense can it be said that marriage is a living reality. The living things in marriage are the living partners and their

¹ Loc. cit., p. 106.

³ Loc. cit., p. 108.

² Loc. cit., p. 108.

⁴ Loc. cit., p. 105.

living acts : but these in themselves do not make marriage : they exist and can exist independently of marriage. All these acts of conjugal life and love by which the partners achieve community of life, and procreation, and the remedy of concupiscence, are conjugal only because they are performed by persons linked together by a juridical bond. Simple cohabitation, even if not precisely in Dr. Doms' sense, could achieve a "two-onenesship"; of itself it would not make marriage. It is the juridical bond resulting from the consent of the partners that makes marriage. Marriage is, therefore, an entity in the intentional or juridical order, and as such has no meaning apart from the object of the rights and obligations to which the bond gives rise.

Another Catholic writer, Fr Bernard Krempel, in his book¹ on the end of marriage puts forward the view that the true idea of complete human nature is that of a unity which has in some way been separated out by God into two sexes. Hence the real end of marriage is to re-establish this oneness by the complete union of the life of each sex. In marriage the typical qualities which distinguish the sexes find their completion, and hence is realized the idea of the "perfect human nature". Krempel maintains that procreation is only a primary end in so far as this is the primary "effect" or "fruit" of marriage; he explicitly denies that the word "end" in canon 1013 is being used in its philosophical sense of "a good for the obtaining of which a thing is destined", but merely in the sense of a simple effect produced. One of the consequences of this theory, it would seem, is that it destroys the ethical argument against the use of contraceptives. The fundamental argument against birth-control is that it is a frustration and abuse of nature. On the principle of St Thomas that "anything which renders an action incapable of achieving the end intended by nature is against the law of nature",² it is wrong to use a faculty and at the same time to render the end intended by nature unattainable. But if one denies that the end of the copulative action intended by nature is procreation, then clearly it cannot be argued on this principle that to frustrate procreation is against the natural law.

¹ *Die Zweckfrage der Ehe in neuer Beleuchtung*, Zurich, 1941.

² IV Sent., d. xxxii, q. 1, art. 1.

It is interesting and instructive to note that Krempel's theory was proposed—largely as a joke—in Plato's Symposium in a speech put into the mouth of Aristophanes, the Greek Comedian. There¹ the theory is pushed to its logical conclusion: some men find their completion in another man—hence homosexuality; some women in another woman—hence Lesbianism; the rest are heterosexual. In Plato the logical and lamentable consequences of Krempel's theory become all too apparent.

Such are two examples of the ends of marriage as proposed by some modern Catholic theologians. What, it may be asked, is their relation to the traditional teaching of the Church? That they are in opposition to the declared doctrine of the Church through the ages needs no labouring. Pius XII, in his recent address, made this point clear. "It was," he said, "precisely to dispel all the uncertainties and errors which were threatening to spread mistaken ideas about the subordination of ends in marriage that some years ago² We Ourselves drew up a statement on the relation existing between those ends; wherein We pointed to the evidence provided by the intrinsic structure of nature's design, appealed to the patrimony of Christian tradition and to the constant teaching of the Popes, and indicated what is duly laid down in the code of canon law.³ Indeed, shortly afterwards the Holy See corrected contrary views by public decree,⁴ declaring inadmissible the opinion of certain recent authors who deny that the primary end of marriage is the procreation and education of offspring, or teach that the secondary ends of marriage are not essentially subordinate to its primary end, but equipollent and independent."⁵ In the light of such explicit teaching, one could scarcely be accused of hyperbole in saying that the maintenance of any theory to the contrary would henceforth be temerarious.

But, for non-Catholics at least, this statement of Authority demands some explanation precisely how, and in what sense, procreation is said to be the primary end, while the other ends are only secondary.

In the first place it should be noted that "primary" does not

¹ 189c. ff.

² 10 March, 1944.

³ Canon 1013, § 1.

⁴ Decree of the Holy Office, 1 April, 1944—cf. *THE CLERGY REVIEW*, 1944, XXIV, p. 565.

⁵ *THE CLERGY REVIEW*, loc. cit., p. 46.

mean "more essential": all the ends of marriage are essential in the sense that the procreative end demands the secondary ends as co-relatives for its proper and worthy fulfilment. But procreation is primary in that it is a more important and a more fundamental end. It is more fundamental because the secondary ends presuppose it, and indeed cannot exist, precisely as ends of marriage, without it. That procreation is a more important end of marriage than any other follows from the very nature of the married state. As a natural institution, marriage has a personal purpose—mutual help, and a purpose that serves the species—procreation. Procreation is undoubtedly of more importance to the species than mutual help, and is therefore of more importance to society as a whole. But since the good of the species is of more importance to nature than the good of individuals, it can be said that procreation is a more important end of marriage than mutual help; in this sense it is, for sound philosophical reasons, said to be primary.

It follows, too, that the other ends, the personal ends of marriage, inasmuch as they are of lesser importance, are reasonably termed secondary ends. But this is not the only reason for calling them secondary. Mutual help and the remedy for concupiscence, beside being of lesser importance, are essentially subordinate to, and dependent on, the principal purpose of marriage—the generating and educating of children. In this more fundamental sense the personal aims of marriage are called secondary ends. Mutual help, specifically as an end of marriage, finds its origin in the primary end, which essentially demands the co-operation of the partners for the fitting and worthy rearing of the family. The necessity of remedying concupiscence exists by nature as an incentive in the service of life and is, therefore, naturally subservient to this end. Both these ends are destined by nature to foster and promote the good of the generative faculty: in other words, these ends exhibit those elements which essentially connote dependence and subordination.

But the insistence on procreation as the primary end of marriage gives rise to a double difficulty. Can procreation in any sense be said to be the end of a marriage in which the parties agree by mutual consent never to use the marriage right,

or in which either or both of the parties are sterile? Sterility, of course, means the impossibility of procreation that is due to the inability to effect conception, and is not to be confused with impotence, which is the inability even to perform the act.

Clearly, procreation is the essential and primary end of marriage, not in the sense that it must necessarily be achieved or even necessarily desired, but in the sense that marriage of its very nature is ordained to that purpose. The essence of marriage is the matrimonial bond or contract. As in all contracts, the establishing of it is entirely dependent upon the free-will of the parties; but, unlike many contracts, the terms of the matrimonial contract are fixed. The parties can haggle over the making of the contract; they cannot haggle over the matter of the contract. It is a case of take it or leave it. The matrimonial contract of its nature is ordained to the procreative end by an intrinsic and necessary connexion. The voluntary consent to matrimony establishes a contract which necessarily gives rise to a right to conjugal acts, and these acts by nature are ordained to procreation. Hence it is impossible to consent to the marriage contract without consenting to the right to acts of procreation. Procreation is, therefore, the essential and primary end of the matrimonial consent because this cannot exist without giving the right to the procreative act, and the natural end of this act, whenever it is performed, is essentially procreation. In this sense procreation is the primary and essential end of every marriage. Hence the reason why any stipulation by the parties to exclude procreation from the use of marriage necessarily renders the contract void.

To return, then, to the first difficulty. A virginal marriage, that is, one in which the parties for high spiritual motives mutually determine to make no use of the marriage act, can be said to have procreation as its primary end, in that this is, necessarily and independently of the freewill of the parties, the term of the contract which they have established by their free consent. The matrimonial consent, free in itself, cannot be separated from the right to conjugal acts which necessarily follows. The consent once given, the right must follow, and in this sense every marriage has procreation as its primary end. The exercise

of the right, of course, depends on the freewill of the parties; but its non-exercise in no way vitiates the existence of the right or its purpose.

But, in the circumstances of sterility, can a person be said to give even the right to acts of procreation, when the power to procreate, *ex hypothesi*, is lacking? It does not seem satisfactory to say that such acts are "per se" procreative, and only "per accidens" fail to achieve their end, since in certain cases nothing short of a miracle would render them effective. But it can be said, firstly, that sterile persons contracting marriage do not exclude the procreative end by any condition. Secondly, the physical act of union is still naturally ordained towards procreation. It is the typical act of organs whose primary biological purpose is procreative. So long as the parties contribute to the act all that is necessary "*ex parte activitatis humanae*", by performing the act naturally, they can be said to be performing a typically procreative act, even though they are certain that conception is impossible. The fact that certain conditions "*ex parte naturae*" are lacking to make the act fruitful does not fall within the field of free choice, and therefore does not come within the scope of the matrimonial consent. That this is the sense in which procreation is said to be the primary end of marriage is clear from Canon Law, which states that the right and duties which are essentially the object of the marriage bond are to acts which of themselves are ordained to procreation—"actus per se aptos ad generationem"¹: that is, normal sexual acts which, given the natural circumstances, will result in procreation.

Some recent words of Pius XII may well serve both as a summary and a conclusion: "Now the truth is that marriage, as a natural institution and by the Creator's will, has as its primary end and intrinsic purpose not the personal perfecting of the parties but the procreation and education of new human life. The other ends of marriage, though they too are intended by nature, are not on the same level with the first, still less are they superior; they are essentially subordinate to it. And this is true of every marriage, even an infertile marriage; just as of every eye you may say that it is meant and made to see with,

¹ Canon 1081, sect. 2.

even though in abnormal cases and by reason of particular internal or external conditions, it will never be able actually to exercise visual perception."¹

E. P. ENNIS, S.J.

QUESTIONS AND ANSWERS

PUBLIC PRAYER FOR DECEASED NON-CATHOLICS

Is there some intrinsic reason why prayers and Masses should not be offered publicly for deceased non-Catholics? If it is purely a matter of positive law, heretics dying in good faith should escape, it seems, the rule of canon 2262. (B.)

REPLY

Canon 809: *Integrum est Missam applicare pro quibusvis tum vivis, tum etiam defunctis purgatorio igne admissa expiantibus, salvo praescripto can. 2262, §2, 2.*

Canon 2262, §1: *Excommunicatus non fit participes indulgentiarum, suffragiorum, publicarum Ecclesiae precum.*

§2: *Non prohibentur tamen: 1. Fideles privatim pro eo orare; 2. Sacerdotes Missam privatim ac remoto scandalo pro eo applicare; sed, si sit vitandus, pro eius conversione tantum.*

i. One could, perhaps, discern intrinsic reasons behind the law, since heretics die outside the visible body of the Church, whether they are in good faith or not. But, unlike the practice of praying publicly *with* heretics which many used to think, with some reason, to be intrinsically wrong,² the prohibition against publicly praying *for* them seems always to have been regarded by the Holy See and by theologians and canonists as

¹ THE CLERGY REVIEW, loc. cit., p. 46.

² Cf. THE CLERGY REVIEW, 1950, XXXIII, p. 398.

a positive law only, and it has been interpreted in a progressively liberal direction. One exception, in the prayers of the morning Office on Good Friday, is of great antiquity, though on this occasion the prayer is for the living. It is clear, however, from a comparison of canon 809 (*quibusvis*) with canon 2262, that the latter includes deceased heretics, the only exception being the *vitandus*.

ii. Before the Code the common teaching was that Mass could not be offered for a deceased heretic even privately, following a negative reply of the Holy Office, 7 April, 1875, to the question: "An liceat etiam in casu, quo huiusmodi applicatio Missae tantum sacerdoti, et illi qui dat eleemosynam nota esset"¹; it was customary on such occasions to offer the Mass for all the faithful departed. The qualification *privatim* is capable of wide interpretation on the part of those who wish to interpret the law as generously as possible. In our view it means "without any public announcement"² and the same applies to any prayers said by the faithful, but we are well aware that more liberal views are current.³ It is for the local Ordinary to give directions on the subject and to correct abuses that may occur.

iii. There remains the point raised by our correspondent that the majority of people nowadays who die outside the Church are not under the censure of canon 2314 since they are in good faith. But canon 2262 denies public prayers and Mass only to the excommunicated, and therefore it would seem that even manifest and notorious heretics are not necessarily included in the prohibitions of this canon.

If it were a question of administering sacraments to heretics in good faith, who are assumed to escape the censure, we have the explicit direction of canon 731, §2, forbidding it, but we have nothing similar in the matter of praying publicly for them after their decease. The significance of canon 731, §2, is seen in the fact that the reception of a sacrament is, amongst other things, a sign of external communion, and therefore must in the nature of things be denied to heretics even though it has been

¹ *Fontes*, n. 1041.

² Vermeersch, *Periodica*, 1931, p. 84, an excellent commentary on the whole subject.

³ Cf. *Middlesbrough Statutes*, n. 190, and announcements in the Press on the occasion of the death of George VI.

proved, let us suppose, in the external forum that they have certainly not incurred the censure of canon 2314.

Does it not follow, therefore, that public prayers, and even public Masses, can be offered for manifest heretics dying in good faith, since there exists no prohibition equivalent to the prohibition of canon 731, §2? We think this conclusion must logically follow provided it has been proved in the external forum that they have escaped the censure. Unless this proof is forthcoming, or pending some decision of the Church on their condition,¹ we must in the external forum and for all public purposes regard them as censured, relying on canon 2200, §2: "Posita externa legis violatione, dolus in foro externo praesumitur, donec contrarium probetur." A similar reason explains why converts are absolved from censure, even though they are generally in good faith and could be regarded in the internal forum as not excommunicated; theoretically at least it is open to a convert to prove to the satisfaction of the local Ordinary that he is not censured, in which case the absolution even with the word "forsan" will be unnecessary.²

INDISSOLUBILITY OF CHRISTIAN CONSUMMATED MARRIAGE

How explain canon 1013, §2, which states that Christian marriage has a special firmness "because of the sacrament", seeing that the contract-sacrament may be dissolved by the Pope if it has not been consummated? (T.)

REPLY

Canon 1013, §2: *Essentiales matrimonii proprietates sunt unitas ac indissolubilitas, quae in matrimonio Christiano peculiarem obtinent firmitatem ratione sacramenti.*

Canon 1119: *Matrimonium non consummatum inter bap-*

¹ Umberg, S.J., in *Periodica*, 1948, 102, concluding an article on the subject of administering sacraments conditionally to heretics dying unconscious, forecasts a decision of this kind "haec questio solutionem expectat per auctoritatem S. Sedis".

² Cf. *THE CLERGY REVIEW*, 1933, V, p. 319.

tizatos vel inter partem baptizatam et partem non baptizatam, dissolvitur tum ipso iure per sollemnem professionem religiosam, tum per dispensationem a Sede Apostolica ex iusta causa concessam, utraque parte rogante vel alterutra, etsi altera sit invita.

i. The difficulty arises from the equivocal use of the word "sacrament". In the sense commonly understood by Catholics it means one of the seven external signs instituted by Christ as efficacious signs of grace; in a wider and less well-defined sense it means "mystery", as in Ephesians v, 32, and frequently in liturgical texts, especially those of Leonine origin, as "sacramentum nativitatis Christi" (1 January, lectio iv). The Vulgate version of Ephesians v, 32, renders the Greek "mysterion" as "sacramentum", and the Protestant reformers who denied that marriage was one of the seven sacraments thought that the Catholic doctrine affirming it to be one could be traced to the Vulgate "sacramentum hoc magnum est". Hence Article XXV of the Church of England teaches that matrimony has not the nature of a sacrament with Baptism and the Lord's Supper, for it lacks any visible sign or ceremony ordained by God. The Pauline text is indeed used by theologians as an indirect proof that marriage is one of the seven sacraments, but the words themselves do not directly establish the doctrine, and the Tri-dentine teaching is content with the statement: "Quod Paulus Apostolus *innuit* dicens . . . sacramentum hoc magnum est."¹

ii. There is a correct sense in which the reception of the sacrament by two Christians gives their union a firmness lacking in the legitimate marriages of the unbaptized: it cannot, for example, be dissolved by the Pauline privilege; but the best solution of the difficulty in the wording of canon 1013, §2, is to give the word "sacramenti" therein its second and less usual meaning of "mystery". "Matrimonium Christianum non est absolute indissolubile ob sacramentum ut signum efficax gratiae, sed in quantum est signum perfectae coniunctionis Christi et Ecclesiae. Verba can. 1013, §2, hoc modo intelligenda sunt."² The ultimate and intrinsic reason for the absolute indissolubility of the marriage of two Christians validly contracted and

¹ Denz, 969.

² *Jus Pontificium*, 1936, XVI, p. 324.

consummated lies in its mysterious symbolism of the Incarnation as taught by St Paul. Its indissolubility is certain from the teaching of Christ in the Gospels, but to quote the words of Pius XI: "If we seek with reverence to discover the intrinsic reason of this divine ordinance, we shall easily find it in the mystical signification of Christian wedlock, seen in its full perfection in consummated marriage between Christians. The Apostle . . . tells us that Christian wedlock signifies that most perfect union which subsists between Christ and the Church . . . a union which certainly, as long as Christ lives and the Church lives by Him, can never cease or be dissolved."¹ "It is incorrect to say," writes Fr Joyce, S.J., in a book which cannot be too highly praised, "that it is the sacrament of Matrimony which confers on Christian marriage its peculiar indissolubility. The reason why the bond of wedlock between Christians can under no conceivable circumstances be broken lies not in the sacrament as such, but in the sacramental symbolism, which in this case is not quite the same thing. It is because Christian marriage represents the indissoluble union of the Son of God with human nature that all severance is impossible. But that symbolism is found fully only in the consummated union."² The doctrine is reflected in the canonical practice of centuries, which is still in full use, of referring to a condition or an intention of contracting a dissoluble marriage as a condition or intention "contra bonum sacramenti". On the other hand, the word is used in its more usual sense referring to one of the seven sacraments in canon 1084: "Simplex error circa matrimonii unitatem vel indissolubilitatem aut sacramentalem dignitatem, etsi det causam contractui, non vitiat consensum matrimoniale."

WOMEN AGED FIFTY AND FASTING LAW

May one still follow the teaching which was common before the Code that women, from the beginning of their fiftieth year, are not bound to observe the fasting law? (T.)

¹ *Casti Connubii*, C.T.S. Do 113 (Tr. Canon Smith), §35.

² *Christian Marriage*, ed. 1948, p. 446.

REPLY

Canon 1254, §2: *Lege ieiunii adstringuntur omnes ab expleto vicesimo primo aetatis anno ad inceptum sexagesimum.*

Code Commission, private reply of Cardinal Gasparri, 13 January 1918; *Il Monitore*, 1929, p. 158: *An verbum "omnes" can. 1254, §2, quoad legem ecclesiasticam ieiunii, applicetur eodem modo etiam mulieribus, prout applicatur viris. Resp. Affirmative.*

i. Canon 1254, §2, is one example of very many in which the legislator expresses as a law what used to be the teaching of moralists and casuists. Women of fifty were excused because it was thought, generously and gallantly, that their physical strength at that age was in the generality of cases less vigorous than that of men. Since the Code, at any rate, a man of sixty, who may perhaps be at the peak of his health and strength, is not bound by the law of fasting. If women of fifty are to be excepted it will be for the same reason that manual labourers, travellers, and other classes are reckoned to be excused from its observance, and not because the written law does not include them. It could happen that a woman of thirty is excused because of weak health; the question proposed is whether all women of fifty are, for the reason of age alone, to be excused.

ii. Moral theologians are still to be found, sufficiently numerous to constitute externally a probable opinion, who answer affirmatively,¹ and some go fully into all the physiological reasons justifying their view.² They disregard the reply of 13 January 1918 because it was never properly promulgated, and because about ten years elapsed before its existence, even as a private reply, became known. Previous *schemata* of this canon expressly put fifty as the age for women,³ but it was finally decided to leave the question open. The legislator was aware of the opinion which exempted women of fifty: if it was his will that they should be exempted no longer, the canon would have read "*adstringuntur omnes, etiam feminae*", in rather the same way as canon 2350, §1, reads "*matre non excepta*".

¹ E.g. Ferreres, *Theol. Moralis*, I, §609, and Casus, I, §99.

² Regatillo, *Institutiones*, II, §90.

³ Regatillo, loc. cit.

iii. Others think that women are bound by the law until sixty, and if excused it will not be because of their age alone but for reasons of physical debility which may apply equally to persons of both sexes at any age between twenty-one and sixty.¹ It may be doubted, in these days of sex equality, whether women themselves would desire or welcome concessions based on their presumed fragility as compared with men of the same age, and Prümmer neatly turns the argument against them: "*Experientia constat mulieres facilius posse sustinere ieiunium quam viros.*"²

iv. Our own view is that the method of exempting whole classes of the population from the fasting laws is the wrong approach to the question, and is born of the extreme rigidity of theologians in deciding the amount of the subsidiary repasts on fasting days in terms of so many ounces as a flat rule for all. The more reasonable approach estimates the amount on a basis relative to the needs of individuals, a solution which is finding favour with the writers and which has been sanctioned by local legislation in some places.³ If this view is correct, women are bound by the law up to the age of sixty; and at the age of fifty, as at all times between the ages of twenty-one and sixty, each one will decide, on a basis relative to personal needs, the amount to be taken at the subsidiary repasts in order that the law may be observed without grave inconvenience.

COMMUNION BEFORE MIDNIGHT MASS

Is there any rule against giving Holy Communion, to persons not in danger of death, immediately before midnight Mass? (X).

REPLY

Canon 821, §2: *In nocte Nativitatis Domini inchoari media nocte potest sola Missa conventualis vel paroeccialis, non autem alia sine apostolico indulto.*

¹ *Collationes Brugenses*, 1931, p. 54; Davis, *Pastoral and Moral Theology*, II, p. 432.

² *Theol. Moralis*, II, §665.

³ *Theological Studies*, 1946, p. 464; *The Jurist*, 1952, p. 44.

Canon 846, §1: Quilibet sacerdos intra Missam et, si privatim celebret, etiam proxime ante et statim post, sacram communionem ministrare potest, salvo praescripto can. 869.

Canon 867, §4: Sacra communio iis tantum horis distribuatur, quibus Missae sacrificium offerri potest, nisi aliud rationalis causa suadeat.

Canon 869: Sacra communio distribui potest ubicunque Missam celebrare licet, etiam in oratorio privato, nisi loci Ordinarius, iustis de causis, in casibus particularibus id prohibuerit.

Code Commission, 16 March, 1936; THE CLERGY REVIEW, 1936, XI, p. 504: An canon 867, §4, collatus cum canone 821, §2, ita intelligendus sit ut sacra Communio distribui possit in Missa, quae sive iure sive apostolico indulto celebratur media nocte Nativitatis Domini? *Resp.* Affirmative, nisi loci Ordinarius iustis de causis in casibus particularibus id prohibuerit ad normam canonis 869.

The Code Commission reply occasioned much discussion seeing that the canons above cited appeared to settle the question, in so far as it related to the communion of the faithful during Mass.¹ The truth about the matter is that before the Code it was the custom in most places, including St Peter's in Rome, not to distribute Holy Communion to the laity during Midnight Mass unless by virtue of a special indult, and this custom was confirmed by certain replies of the Congregation of Rites. In these days of liturgical revival the rule of canon 846 is accepted everywhere as a self-evident principle: the laity have the right to communicate during any Mass at which they have the right to assist.

The custom, very widespread in pre-Code days, of communicating outside Mass is properly discouraged, but the faithful have a right to this Sacrament whenever it is reasonably requested, subject to liturgical law which only permits the distribution of Holy Communion by a priest immediately before or after Mass when it is a low Mass, and which forbids its reception on Good Friday and before Mass on Holy Saturday (Canon 867, §§2 and 3).

¹ Cf. Maroto in *Apollinaris*, 1936, p. 195, and in *Commentarium pro Religiosis*, 1936, p. 133.

As regards the above question, it is assumed either that the law on the Eucharistic fast is being observed, which means that Holy Communion will not be distributed before midnight; or that the law has been relaxed by indult, in which case Holy Communion may be given to a person before midnight provided it has not already been received earlier on Christmas Eve. In other words, the lawfulness of giving Holy Communion to the faithful before midnight Mass is nowadays subject to the same rule as obtains at any other time. One should be unwilling to encourage a custom of communicating before midnight Mass, but occasions may arise when it is a reasonable procedure. Hence Maroto rightly implies in his commentary on the Code Commission reply that Holy Communion may be given before or after Mass at midnight, as well as during its celebration.

CHRISTMAS EVE FAST

In the reply given to a question, February 1952, p. 106, was sufficient account taken of the resolution *S.C. Conc.*, 18 November 1937, which appears to reject the contention that a greater quantity of nourishment may be taken at the subsidiary repasts on Christmas Eve? (X.)

REPLY

S.C. Conc., 13-18 November 1937; *A.A.S.*, 1938, XXX, p. 160; *THE CLERGY REVIEW*, 1938, XV, p. 80: . . . Ordinarii huic *S.C.* exposuerunt haud parvas adesse difficultates in observanda lege abstinentiae et ieiunii in pervigilio Nativitatis Domini, sive ob inductam praxim celebrandi proximam festivitatem inde a pervigilio etiam epulis, qualitate et quantitate, vetitis a lege, sive ob curas et labores. . . . Quapropter iidem Ordinarii petierunt ut obligatio haec cessaret a meridie pervigilii, ut statutum est pro Sabbato Sancto in canone 1252, §2. . . .

ANIMADVERSIONES: . . . Rationes vero, quae pro dispensatione afferuntur, non videntur solido niti fundamento. Et praxis in contrarium inducta potius abusus dicenda. . . .

Vol. xxxvii

T

RESOLUTIO: An et quomodo expediat concedere dispensationem a lege abstinentiae et ieiunii in pervigilio Nativitatis Domini? *Resp.* Negative, seu non expedire, et ad mentem. Mens autem est ut Ordinarii satagant opportunis instructionibus fideles inducere ad ius commune servandum.

i. In the reply given February 1952, p. 106, our own preference was for measuring the subsidiary repasts on a basis relative to the needs of individuals. The question put, however, assumed the traditional method of measuring the amount at these repasts in terms of two and eight ounces, and to the query whether on Christmas Eve the amount might be doubled, since this day is *ieiunium gaudiosum*, our reply was that this view had extrinsic probability and could be followed.

ii. The resolution of 13-18 November 1937 could be taken, perhaps, as levelled against the notion of *ieiunium gaudiosum*, since the animadversions are patient of this meaning. But we can trace no commentator who draws this conclusion; the petition was not about this practice but about dispensing or abolishing the fast altogether from midday on Christmas Eve, thus permitting not merely 16 oz. at the evening collation but as much as one pleased; the resolution itself is not concerned with it either, but simply affirms that the dispensation requested is not granted; and, finally, the writers we are accustomed to use continue, after the date of this resolution, to permit a double quantity at the evening collation on Christmas Eve, at least in those places where it is customary, e.g.: Davis, *Moral and Pastoral Theology* (ed. 1949), II, p. 431; Ferreres, *Theologia Moralis* (ed. 1950), I, §603.

E. J. M.

ROMAN DOCUMENTS

"STUDIUM" FOR RELIGIOUS

SACRA CONGREGATIO DE RELIGIOSIS

DECRETUM

APUD S. CONGREGATIONEM DE RELIGIOSIS "STUDIUM" CONSTITUITUR
(A.A.S., 1951, XLIII, p. 806.)

"Quod numquam ecclesiasticarum rerum memoria factum esse recenset, nunc primum Sodalitates, in quas qui cooptati sunt suae veluti metam evangelicam absolutionem perfectionemque sibi praestituunt, in tam celebres coetus coaluerunt, quemadmodum postremis hisce diebus contigit, ut de communibus utilitatibus cogitata librerent consilia. Quod ut efficeretur, iudicio Nostro matura tempora omnino requirebant" (Pius XII, Allocutio diei 8 dec. 1950 Conventui generali ex universis religiosis Ordinibus, Congregationibus ac Societatibus Institutisque saecularibus, Romae habito).¹

Solemnis ille Conventus, qui *Congressus de Statibus perfectionis* appellatus fuit, vota quaedam ad nostris temporibus accommodatam renovationem inducendam ordinata, emisit et S. Congregationi de Religiosis exhibuit. Haec vota S. Congregatio libenter excepit, eaque peritis adhuc examinanda tradidit qui modum ea executioni mandandi suggererent et viam qua incedendum erit demonstrarent. Inter ea vero quae communi omnium plausu recepta fuerunt et enixe S. Congregationi commendata ut ipsa SS^{mo} D. Nostro pro approbatione exhibere dignaretur, illud eminet quod ita breviter perstringi potest:

"Ad exemplum *Studiorum*, pontificia auctoritate apud aliqua Romanae Curiae dicasteria institutorum,—quae maximo cum fructu alumnos in rebus propriis solide et practice instruunt atque ad officia seu munera correlata iure riteque exercenda praeparant,—*Schola practica* rationi vitae religiosae plene respondens apud S. C. de Religiosis legitime instituat. Ipsa ita ordinari deberet, ut, tam tyrones qui in Urbe studiis academicis aliisque superioribus vel specialibus incumbunt, quam illi qui negotiis agendis tractandisque, diversis educationis ministeriis, officiis et muneribus regiminis destinantur, secure et practice instrui exercerique possint: 1) circa S. Congregationis competentiam, stylum, praxim, procedendi ratio-

¹ A.A.S., 1951, p. 27.

nem, et circa suorum documentorum, actorum, formularum vim ac potestatem; 2) circa S. Congregationis iurisprudentiam, circa Codicis iurisque vigentis usualem interpretationem securamque applicationem; 3) denique circa Religionum, Societatum, Institutuumque ius privatum comparatum, ut optima quaeque a S. Congregatione prolata ob oculos ponantur in illis omnibus quae ad statum et constitutionem, ad educationem religiosam clericalem apostolicam, ad regimen, ad ministeriorum demum exercitium spectant."

Haec profecto S. Congregatio multum conferre autumavit auspicae renovationi procurandae huius *Studii* seu *Scholae practicae* creatio; proindeque in Audientia diei 8 Ianuarii currentis anni Emissus tunc Card. Praefectus Clemens Micara Religiosorum Conventus vota et desideria Ss^{mo} praesentavit, Qui eisdem benigne annuere dignatus est.

Quapropter, vi praesentis Decreti apud S. Congregationem de Religiosis *Studium* constituitur, quod omnibus clericis sive religiosis sive saecularibus patebit. Cursus lectionum et exercitationum spatio biennii absolvetur, quo rite peracto speciale diploma conferri poterit, cui si casus ferat, speciales effectus attribui valebunt. Candidati haec documenta exhibebunt: Religiosi licentiam proprii Superioris Generalis; saeculares tum licentiam proprii Ordinarii tum "Nihil obstat" Vicarii Urbis; omnes autem peculiare aliquod publicum testimonium specialis in scientiis sacris competentiae vel studiorum ad eam sibi comparandam.

Haec infrascriptus Secretarius S. Congregationis in Audientia diei 23 Octobris 1951 Ss^{mo} D. N. Pio Pp. XII retulit, Qui ea approbare dignatus est et publici iuris fieri mandavit.

Contrariis quibuslibet non obstantibus.

Datum Romae, die 23 Octobris a. 1951.

ARCADIUS LARRAONA, C. M. F., *Secretarius*.

SEXUAL INITIATION

ALLOCUTIO

AD PATRESFAMILIAS E GALLIA ROMAM PEREGRINANTES, 18 SEPTEMBER, 1951. (*A.A.S.*, XLIII, 1951, p. 732.)

(*Omissis.*)

Il est un terrain, sur lequel cette éducation de l'opinion publique, sa rectification, s'impose avec une urgence tragique. Elle s'est trou-

vée, sur ce terrain, pervertie par une propagande, que l'on n'hésiterait pas à appeler funeste, bien qu'elle émane, cette fois, de source catholique et qu'elle vise à agir sur les catholiques, et même si ceux, qui l'exercent, ne paraissent pas se douter qu'ils sont, à leur insu, illusionnés par l'esprit du mal.

Nous voulons parler ici d'écrits, livres et articles, touchant l'initiation sexuelle, qui souvent obtiennent aujourd'hui d'énormes succès de librairie et inondent le monde entier, envahissant l'enfance, submergeant la génération montante, troublant les fiancés et les jeunes époux.

Avec tout le sérieux, l'attention, la dignité que le sujet comporte, l'Eglise a traité la question d'une instruction en cette matière, telle que la conseillent ou la réclament tant le développement physique et psychique normal de l'adolescent, que les cas particuliers dans les diverses conditions individuelles. L'Eglise peut se rendre cette justice que, dans le plus profond respect pour la sainteté du mariage, elle a, en théorie et en pratique, laissé les époux libres en ce qu'autorise, sans offense du Créateur, l'impulsion d'une nature saine et honnête.

On reste atterré en face de l'intolérable effronterie d'une telle littérature: alors que, devant le secret de l'intimité conjugale, le paganisme lui-même semblait s'arrêter avec respect, il faut en voir violer le mystère et en donner la vision—sensuelle et vécue—en pâture au grand public, à la jeunesse même. Vraiment, c'est à se demander si la frontière est encore suffisamment marquée entre cette initiation, soi-disant catholique, et la presse ou l'illustration érotique et obscène, qui, de propos délibéré, vise la corruption ou exploite honteusement, par vil intérêt, les plus bas instincts de la nature déchue.

Ce n'est pas tout. Cette propagande menace encore le peuple catholique d'un double fléau, pour ne pas employer une expression plus forte. En premier lieu, elle exagère outre mesure l'importance et la portée, dans la vie, de l'élément sexuel. Accordons que ces auteurs, du point de vue purement théorique, maintiennent encore les limites de la morale catholique; il n'en est pas moins vrai que leur façon d'exposer la vie sexuelle est de nature à lui donner, dans l'esprit du lecteur moyen et dans son jugement pratique, le sens et la valeur d'une fin en soi. Elle fait perdre de vue la vraie fin primordiale du mariage, qui est la procréation et l'éducation de l'enfant, et le grave devoir des époux vis-à-vis de cette fin, que les écrits dont Nous parlons laissent par trop dans l'ombre.

En second lieu, cette littérature, pour l'appeler ainsi, ne semble tenir aucun compte de l'expérience générale, d'hier, d'aujourd'hui

et de toujours, parce que fondée sur la nature, qui atteste que, dans l'éducation morale, ni l'initiation, ni l'instruction, ne présente de soi aucun avantage, qu'elle est, au contraire, gravement malsaine et préjudiciable, si elle n'est fortement liée à une constante discipline, à une vigoureuse maîtrise de soi-même, à l'usage, surtout, des forces surnaturelles de la prière et des sacrements. Tous les éducateurs catholiques dignes de leur nom et de leur mission savent bien le rôle prépondérant des énergies surnaturelles dans la sanctification de l'homme, jeune ou adulte, célibataire ou marié. De cela, dans ces écrits, à peine souffle-t-on un mot, si encore on ne le passe tout à fait sous silence. Les principes mêmes que dans son Encyclique "Divini illius Magistri" Notre Prédécesseur Pie XI a si sagement mis en lumière, concernant l'éducation sexuelle et les questions connexes, sont—triste signe des temps!—écartés d'un revers de main ou d'un sourire: Pie XI, dit-on, écrivait cela il y a vingt ans, pour son époque. Depuis, on a fait du chemin!

Pères de famille ici présents: il y a sur toute la face du monde, en tous pays, tant d'autres chrétiens, pères de famille comme vous, qui partagent vos sentiments; coalisez-vous donc avec eux—bien entendu, sous la direction de vos Evêques—appelez à vous prêter leur puissant concours toutes les femmes et les mères catholiques, pour combattre ensemble, sans timidité comme sans respect humain, pour briser et arrêter ces campagnes de quelque nom, de quelque patronage qu'elles se couvrent et s'autorisent. Ce n'est pas sans raison que vous avez placé votre pèlerinage sous la protection spéciale du grand Pape eucharistique, le bienheureux Pie X. Ayez confiance dans le secours de la Vierge immaculée, Mère très pure, Mère très chaste, "auxilium christianorum"; confiance dans la grâce du Christ, source de toute pureté, qui ne délaisse jamais ceux qui travaillent et qui combattent pour l'avènement et l'affermissement de son règne. Avec la plus vive espérance que vos efforts et vos prières hâteront le triomphe de ce règne, Nous vous donnons de tout cœur, à toutes vos familles, à tous les pères chrétiens unis à vous d'esprit, de prière et d'action, Notre Bénédiction Apostolique.

BOOK REVIEWS

Dictionary of Dogmatic Theology. By Pietro Parente, Antonio Piolanti and Salvatore Garofalo. Translated from the Italian by Emmanuel Doronzo, O.M.I. Pp. 310. (Bruce, Milwaukee. Price \$4.50.)

THE object of this volume, beautifully printed and produced, is to provide "a clear and concise ready-reference book of dogmatic theology for cultured laymen". It covers the whole field of dogmatic theology, including even such difficult matters as obediential potency, Trinitarian "notions", the *esse in* and the *esse ad* of relations, adductive and reproductive theories in connexion with transubstantiation—to mention only a few of the abstruse points dealt with in this comprehensive survey. Philosophy, mystical doctrine, law, history, liturgy, so far as these serve to illustrate the main theme, also find their place; and so detailed is the enumeration of heresies that even the obscure Artotyrites (who celebrated the Eucharist with bread and cheese) are allotted a paragraph to themselves. The conjecture that a treatment of theology so specialized and compressed might make only a limited appeal has been belied by the facts, at any rate so far as Italy is concerned: the first edition of the Italian original was out of print within a few months, and was followed shortly by the second, revised and amplified, upon which the eminent theologian Dr Doronzo, of the Catholic University of America, has based the present English version.

A work of this kind is as easy to criticize as it is difficult to compose. Let it therefore be acknowledged immediately that in their attempt to perform what to many might have seemed an impossible task Mgr Parente and his learned colleagues have achieved a considerable measure of success. A vast amount of factual information is here made easily accessible which might otherwise have remained locked up in the Latin of theological manuals; a great number of the less recondite theological notions are elucidated for the layman; much that relates to positive theology is clearly set forth; and, if metaphysical doctrine is here presented under its less intelligible aspect, the inexpert reader will at any rate find reason to be impressed by the magnificence of what he fails to understand. It is here in fact, in the realm of speculative theology, that the compilers of this Dictionary fail, perhaps inevitably, to attain their ideal. Where conciseness is indispensable the technicalities that accuracy requires must be left unexplained. What, for example, is the layman to make of this?

These mysteries [the Trinity and the Incarnation] suggested the distinction between nature and person, which was the first conquest of Christian thought. The Scholastics, following in the steps of the Fathers, elaborated a rich doctrine with varied positions. The person is a whole, of which the *nature* is the basic part; in addition to the nature, it includes "individuating principles", which stem from matter, *accidents*, and *individual existence*, putting the individuated nature outside of its causes and in the world of reality. . . . Which of these elements, however, is formally and definitively constitutive of person as such? The problem has been given various solutions: *subsistence* has been called the formal characteristic of person, but the schools differ as to the *negative* or *positive* mode of interpreting this subsistence (p. 215).

The Dictionary contains a good deal of this sort of thing, and one is inclined to doubt whether the laity are likely to derive much profit or instruction from it. In one other respect also, we venture to suggest, the purpose of this work is served less well than it ought to be, and that is in the matter of legitimate differences among Catholic theologians. Space must obviously forbid the adequate discussion of such differences, but if they are mentioned at all it is quite essential to insist, especially in a book of this kind, that they are in fact legitimate. Desirable though it may be to bring up our lay theologians as good Thomists, it would be most unfortunate if any one of them consulting this Dictionary should be led to doubt the perfect orthodoxy of devout Catholics who hold other views. A sort of free-masonry among our rival Catholic schools allows and even welcomes good-natured banter in these domestic controversies; but scientific treatises and learned reviews are the proper place for these more or less friendly exchanges. It is therefore to be regretted that Mgr Parente and his collaborators should have failed not infrequently in this duty of discretion. For example:

The Scotists still maintain that, besides the principal substantial form which is the soul itself, the body has a second corporeal form (*forma corporeitatis*). The Thomists on the contrary, in full concordance with the doctrine of the Church, teach that . . . (p. 266).

And again:

For these reasons we must discard such theories [of Suarez, Lessius, St Bellarmine and Lugo about the "mode" of transub-

stantiation] and follow the doctrine of St Thomas, which is the common opinion and the only one in perfect harmony with the definitions of the Church (p. 289).

The difficulties inherent in this undertaking have become for the translator a *damnosa hereditas*. Even so, a less scrupulous adherence to the letter of his Italian original might have enabled Dr Doronzo to produce something rather more palatable to the English reader.

G. D. S.

Beyond East and West. By John C. H. Wu. Pp. xii+364. (Sheed & Ward. 21s.)

DR WU, a Chinese gentleman fairly recently converted to the Church, has been, in turn, advocate, judge, minister of justice in the Chinese cabinet, Chinese minister to the Holy See, lecturer in Chinese philosophy in the university of Hawaii; his literary work, over and above such work as the drafting of a new constitution for China, ranges from poetry in Chinese and English to a translation into Chinese of the New Testament and the psalms. The book which he gives us now, under the title *Beyond East and West*, is autobiography.

A first reading might leave one with the impression that the author has no doubt concerning his own gifts and abilities. In fact, he hasn't. Nor had St Paul. And Dr Wu follows the apostle in ascribing his gifts to the right source. Before you read this book, turn to page 324, where the author quotes, "God, who commanded light to shine out of darkness, has shone in our hearts, to give enlightenment concerning the knowledge of the glory of God, shining on the face of Christ Jesus. But we carry this treasure in vessels of clay, to show that the abundance of the power is God's and not ours." Straightway the author goes on: "I should be a liar if I denied that I am a vessel of clay; but I should equally be a liar if I said that the light of God has not shone in my heart, or that the Blessed Virgin has not helped me in my work." There, maybe, we have the clue to the whole book. We should do well to remember it, if we find ourselves irritated, especially in Part I, by what may appear to be a spirit of complacency in John Wu.

In Part II the flavour of the book changes. There is an objective quality about the writing that gives the reader a chance to form his own judgement about the writer; it is more satisfactory than having to take Dr Wu's word for it, as so often we must in Part I. The chapter on the religions of China is particularly useful to those of us who

are not sure if Tao is a person, or a thing, or a philosophical system. The chapter that follows soon after, under the title "Mental Roamings", is full of wisdom and knowledge. For example: "To commit suicide is to take one's life too seriously"; "Friendship is mutual dependence built upon mutual independence." St Francis of Sales would have enjoyed that. Another such gleam occurs on page 349: "To a happy soul, pleasures are no longer necessary; to a pleasure-seeking soul, happiness is not yet possible." Any spiritual author who found that in his manuscript would be justified in taking an afternoon off to savour his own wisdom.

The Epilogue is valuable in that it presents China, not as a country of poverty-stricken pagans, but as a country where the people have probably progressed further in natural religion than most of us have in supernatural religion. The reverence of the Chinese for their heaven, their filial piety, their deep and tender regard for the mother, would make them at home with God and our Blessed Lady; they have a very fair start on the road to conversion. All that is needed, reckoning by European standards, is about half a million missionary priests to convert the population before the Reds turn them communist.

S. M. SHAW

The Story of a Soul (Saint Thérèse of Lisieux). A new revised translation by Michael Day, Cong. Orat. Pp. 205. (Burns Oates. 10s. 6d.)

THE translation circulating up to the present, amongst English-speaking people, of Saint Teresa's famous autobiography was the work of Rev. Thomas N. Taylor, and the volume contained in addition a selection of the Saint's letters, poems and maxims. It has served well to popularize the Saint, and many will find it useful still, since the subject index of the autobiography, printed by the Catholic Records Press, refers to Fr Taylor's translation. The new version is of the autobiography alone, and is far superior to the old, being in simpler and more direct language and less concerned with a literal rendering of the original. To take one example at random from chapter IV: "... it was made known to me interiorly that my personal glory would never reveal itself before the eyes of men, but would consist in becoming a saint" reads in Fr Day's translation: "... it was revealed to me in my heart that my glory would lie in becoming a saint, though this glory would be hidden on earth." But it is rather significant that, for the purpose of reflecting the French of the writer, the Douay translation of Scriptural passages

had to be used in preference to the new translation by Mgr Knox, which appears nevertheless in the epilogue describing the Saint's last days. An index would have been useful, and it seems a pity that the one already existing was not adapted to the pagination of the new version.

The Power of the Sacraments. By Most Rev. George Grente, Archbishop of Le Mans. Pp. 236. (Kenedy, New York. \$3.)

THE author, a distinguished academician, brings into his writing all the literary grace one would expect from a member of the French Academy; as a canonist and theologian he is fully alive to all the recent pronouncements of the Holy See; and as a pastor of souls he writes inspired by the desire to assist his flock, for it is to Catholics that his essays are chiefly directed: four chapters on the sacraments in general, and one each on the sacraments singly. Quite recently the French bishops have given a united instruction to their clergy on certain sacramental problems, urging the necessity of using the means of sanctification which God himself has provided. The book may be considered an echo of those instructions, addressed to the faithful rather than to the clergy. The aptness of illustration, and the freshness of His Grace's approach, make this work an excellent text for the clergy to consult with a view to sermons and instructions. The translator, Sister Mary Madonna, C.S.C., has very helpfully given all references, of which there are a great many, to English translations, whenever these are in existence.

The Great Mantle. A Life of Pope Pius X. By Katherine Burton. Pp. 219. (Clonmore & Reynolds. 16s.)

Pope Pius XII. By Most Rev. Jan Olav Smit. Adapted into English by J. H. Vanderveldt. Pp. 296. (Burns Oates and Clonmore & Reynolds. 16s.)

THROUGHOUT his pontificate, and still more since his death in 1914, Pius X stands out prominently amongst the many saintly bishops who have occupied the See of Peter, and the faithful will welcome a biography which gives an intimate portrait of this great Pope. Your reviewer is old enough to remember the impression created amongst the more orthodox Anglicans by the encyclical *Pascendi*, which was to them a most welcome assertion of the traditional Christian faith amidst a babel of discordant and contradictory views: though not written for the purpose, the papal teaching had the effect of bringing many of them into the Church. The Pope's decisions on many other

points of Christian discipline have now become deeply rooted, and it is difficult to imagine the times when frequent Communion was not the rule, and when plain-song was barely tolerated. The book appears opportunely in the year which has witnessed the beginnings of the process for the canonization of Pius X.

The biography of Pius XII is a documented account of the reigning Pontiff's life, written by a Canon of St Peter's who has known the Pope since his boyhood, and has enjoyed continuously a first-hand acquaintance with his subject; the proofs of the original, moreover, were submitted to the Pope before publication. When, therefore, the time comes (which may God long delay) for a definitive biography, the work of this biographer will rank amongst the chief sources of information. Amongst those who have ruled the Church there are many prolific writers, outstanding canonists like Benedict XIV, for example, whose complete works run into several quarto volumes. But there must be very few who have made so many utterances, allocutions, and radio addresses, on such a variety of subjects as our present Pontiff. Even though we may suspect that, in some instances, these must be prepared by others for his acceptance, it is always the Pope who delivers them to a specified audience, and nearly always in the language best understood by his listeners. The author gives a good account of the papal teaching on these occasions, and has well succeeded in giving relevant extracts from these addresses and from the papal encyclicals: many will find the book too heavily loaded, perhaps, with these texts which can easily be consulted elsewhere. There is a good bibliography, especially with reference to articles in periodicals, including this journal.

The details given here and there about the Holy Father's personality and habits (that he is a violinist, for example) will be welcomed by all, and no one can fail to be impressed by his linguistic powers and by the laborious routine of his daily life. The observation on p. 36 that "by his ability and tact he was rapidly climbing the hierarchical ladder" might have been better expressed, for it is clear that at every stage of his advancement, culminating in the papal election, the Holy Father was extremely unwilling to undertake fresh burdens and responsibilities. On several occasions the soundness of the Pope's constitution is remarked upon, so that we may rely on this great and fruitful pontificate extending to many more years.

Both biographies have a frontispiece, and that of Pius XII is fully illustrated with some attractive portraits of Eugenio Pacelli as a youth, and some good pictures of certain outstanding events in his pontificate.

The Canon of the Mass. Its History, Theology and Art. By Rev. J. Gassner, O.S.B. Pp. 404. (Herder Book Co. \$5.)

FR JUNGSMANN's monumental work *Missarum Sollemnia* appeared first in Vienna, 1948, too late apparently for it to be consulted by Fr Gassner. An English translation of Fr Jungmann's book is being prepared and, pending its publication, the above work is probably the best obtainable in English on the Canon of the Mass. The author, a Benedictine monk of Seitenstetten in Austria, is Postulator general in causes of Beatification and we are informed that he is a Prosynodal judge "at the Roman Curia". Though a scholarly work and intended for the information of priests and theological students, it is designed also for the increasing number of the faithful who use the Missal and are anxious to learn all they can about its central feature, the Eucharistic Prayer. Accordingly, every text is given in an English version, sometimes more than once, as in the case of the Canon of Hippolytus, and nothing is taken for granted. The book will be extremely useful to the clergy, and though liturgical scholars will find nothing new in the author's researches and no new solution of the many problems which still exist, they will welcome the clear arrangement and analysis of the vast material available. Chapter VIII, *The Liturgy of the Apocalypse*, is specially interesting, and develops a point which many of the liturgical writers on the Mass have so far missed, the value of St John's description of the Heavenly Sacrifice as a witness to the early Christian liturgy.

Happy Babies and Their Mothers. By Mary Kidd, M.B. Pp. 114. Paper cover. (Burns Oates. 5s.)

FIRST published in 1936, Dr Kidd's work well merits a reprint, for in addition to possessing the medical qualifications which one would expect its writer has had a vast amount of work in maternity clinics. It is wholly concerned with the period after birth: how the mother is to make a good recovery, problems about nutrition, and the treatment of various ailments of infancy. It so happens that all the serious moral problems arise in the ante-natal period, and the theologian may be so anxious, perhaps, in safeguarding a child's right to be born that he is liable to lose all interest in the problem of keeping it alive and healthy after birth. Dr Kidd's book will be for him a useful corrective.

Manuale Theorico-Practicum Theologiae Moralis. Tomus IV, *De Sacramentis.* Auctore L. I. Fanfani, O.P. Pp. 1038. (Libreria Ferrari, Rome.)

THE moral theologian writing on the sacraments has to deal with a

vast amount of detail, and also to keep abreast of the many decisions and directions of the Roman Curia. We find that Fr Fanfani has mentioned every important new development that has taken place up to the time of publication, for example the papal decision about the matter and form of Holy Orders, and the allocution defining what is and what is not permissible in artificial fecundation. It is no reproach to the learned author that he has been compelled to deal rather summarily with some points which are disputed: the limits set to a volume which explains all the sacraments have made brevity a necessity. His solutions are usually on the conservative or stricter side, and this is to be welcomed on the whole, for the moral theologians tend rather to liberal solutions as a matter of course, and it is good to have something a bit different. Occasionally, however, we may wonder whether Fr Fanfani is not, perhaps, too exigent. He holds, for example, that the kind of sickness which justifies confirmation at the hands of a parish priest must be more serious than that which justifies extreme unction, an interpretation of the decree issued by the Congregation of the Sacraments, 14 September, 1946, which some of the early commentators accepted owing to the unusual terms found in the document. This view may eventually be proved the correct one, but the majority of writers on the subject are now more liberally minded, and consider that the danger of death is to be estimated in the same way for both sacraments. Also, one may find now and then that an official solution has been overlooked: thus Fr Fanfani strongly advises the registration of baptism to be entered not only in the register of the place of baptism but also in that of the place of origin; it might have been pointed out that this procedure is explicitly directed in *Sacrosanctum*. These are small points and in no way detract from the value of this commentary, which is well presented and clearly printed on good paper. The work is now complete and the reader is referred to this REVIEW, 1950, XXXIII, p. 356, for an appreciation of the first volume.

Institutiones Iuris Canonici. Auctore Eduardo F. Regatillo, S.J. Vol. I, pp. 564; Vol. II, pp. 623. (Sal Terrae, Santander. \$5.)

THE author follows the system adopted by other contemporaries of excluding the sacraments from the canonical commentary: his *Ius Sacramentarium* was reviewed in this journal, 1951, XXXV, p. 421. It is hardly possible, nevertheless, to avoid some overlapping. The Code Commission reply, 4 January, 1946, deciding that a marriage process was not invalidated by the non-observance of canon 1971, §1, 1, which declares "inhabilis ad accusandum" the person

who is the culpable and direct cause of the nullity, again comes up for discussion; the view suggested about this surprising reply is probably correct, though we have not seen it anywhere in print before: "Ratio huius declarationis, potius quam iuridica, est practica; ad vitandos sumptus inutiles et alia incommoda, si inhabilitas detegatur, stante iam processu." If practical utility rather than the application of established canonical principles is to be our guide, we should very probably see the rules of a number of complicated processes lying about in ruins. Dr Regatillo has to give about 200 pages of his second volume to the judicial processes of Book IV of the Code; perhaps in Spain these often occur and everywhere commentaries are necessary for elucidating the principles applied to the conduct of marriage cases. Yet the unwieldy structure of a canonical trial, and the necessity for expediting business, has led to the codification of administrative processes in Tit. XXII-XXVIII of the Code; and, in addition, many matters may be settled in this more summary and practical way, without having recourse to the formalities of a trial. Some of the most useful pages of this commentary explain the essential principles applying to all administrative processes, which are supposed to preserve the substance of a trial without its solemnities.

Dr Regatillo is a reliable and a friendly guide: reliable because of his wide knowledge and experience, and friendly because he is usually anxious to interpret the law as mildly as possible. Thus, in adhering to the pre-Code view held by some, that women are excused from the ecclesiastical fast at the age of fifty, he argues that the Code has not changed the existing interpretation, and that an alleged reply of Cardinal Gasparri to the contrary refers only to the place from which the query came; it is all the more surprising, perhaps, that he takes no account of the modern method of estimating the amount of food at the subsidiary repasts on a basis relative to the needs of individuals; nevertheless he allows as much as twelve ounces for the evening collation, and for a just cause four ounces for the morning *frustulum*.

The two volumes are well printed and indexed and are a welcome addition to a canonical library.

Compendium Iuris Publici Ecclesiastici. Auctore L. R. Sotillo, S.J. Editio secunda. Pp. 367. (Sal Terrae, Santander. \$2.)

THE chief point of interest in these manuals of public law, of which there are a number of recent examples, is the treatment given to the relations which ought to exist in any rightly governed country

between Church and State. Let it be said at once that Fr Sotillo has no inclination whatever to depart from the accepted doctrine, made familiar to everyone in the encyclicals of Leo XIII, a doctrine which insists *de iure* on the State's obligation to defend the true Church, and permits State toleration of all religions *de facto* only as an expedient for avoiding greater evils. Some American writers, and notably Fr John Courtney Murray, S.J., have in recent years endeavoured, with great courage and some success, to restate the doctrine and to show that there is much to be said for the view that a democratic State must in principle, and not merely as an expedient, tolerate all religions which are not manifestly anti-social. The value of Fr Sotillo's discussion is in the efforts he has made to give replies, in scholastic form, to the arguments used by these writers. His acquaintance with Fr Murray's writings appears to rest on other sources, and he is usually referred to as "Courtney", but on the whole and within the limits possible in a text-book an adequate reply is given. In one instance, however, the reader would expect something more satisfactory. The new school of thought maintains that as a matter of fact the Church is more free in countries like America than in the so-called Catholic countries, a statement of fact which cannot be questioned at the moment, though we have no guarantee that this happy situation will continue. Fr Sotillo merely observes "*In minori sunt non paucae illusiones*", and a footnote reminds us that the growth of the Church in America is due to its divine origin and suggests that this growth would be even greater if the Church in that country were protected by the State. This cannot be more than a matter of opinion and Fr Sotillo would be on firmer ground in relying, as he does throughout his treatise, on doctrinal principles which integrate the State's relation to the end or purpose of human existence with the claims of the Church to be the sole divinely appointed guide thereto.

Sacrae Romanae Rotae Decisiones seu Sententiae. Anno 1942. Vol. XXXIV. Pp. 906. (Typis Polyglottis Vaticanis. 2500 lire.)

THOUGH it is not the custom of the Rota to publish their decisions in full until ten years have elapsed, one frequently sees the substance of certain interesting cases printed almost immediately in the Roman journals *Ephemerides Iuris Canonici* and *Monitor Ecclesiasticus*; in addition the merest details of each decision are published annually in *Acta Apostolicae Sedis*, for example those of this volume for the year 1942 in *A.A.S.*, 1943, XXXV, p. 33, analysed in *THE CLERGY REVIEW*, 1943, XXIII, p. 328, and information is there given about

advocates and gratuitous service which is not contained in the volume of Decisions.

These yearly volumes are of great assistance to the members of diocesan tribunals, provided they bear in mind the official directions of the Roman Curia issued during the years succeeding. Thus, in more than one place, an incidental question arises concerning a diocesan tribunal's sentence when the party taking legal proceedings is the cause of the alleged nullity, and the Rotal decision supposes that the validity or the invalidity of the sentence may be at issue; we now know that "inhabilitas coniugis a canone 1971, §1, statuta" does not have the effect mentioned in canon 1892.2 of rendering the sentence incurably invalid, a decision of the Code Commission dating from 4 January, 1946; but the exact opposite appears to have been the accepted view in 1942.

We are far from suggesting, however, that this volume is of interest only to professional canonists: the parochial clergy, who often have to act as the informal advocate of the parties in preparing a *libellus*, will be able to learn from these cases the kind of evidence necessary for securing a successful verdict. With two exceptions all the decisions are concerned with marriage cases, amongst which the impediment *vis et metus* recurs somewhat monotonously as the cause of nullity. Another frequent cause of invalid consent is *intentio contra bonum prolis*, in establishing which the classical distinction between *ius* and *usus* is well illustrated in this volume. A further point which will be appreciated by the parochial clergy is the fact that many of these marriage nullities could never have arisen if the investigating priest had taken all the precautions now required by the Instruction *Sacrosanctum*. The clergy will learn also, by inspecting the dates, the length of time required for a final decision even in a comparatively straightforward case: Decision VI, for example, 24 January, 1942, confirmed a decision given by the Westminster tribunal, 28 December, 1938.

It would be convenient for the reader if the sentence given on appeal were also briefly indicated by the Rotal editors: to discover it one has to refer to later volumes of *Acta Apostolicae Sedis*: thus Decision XVII, which began in Westminster in 1939 and was transferred to Rome owing to difficulties arising from the war, was concluded 7 March, 1942, with a favourable verdict, and we are informed that on appeal a second decision was given 16 January, 1943; but to discover what this decision was we must know where to look for it in *Acta Apostolicae Sedis* (1944, XXXVI, p. 105), and we then learn that the second decision confirmed the first one. The

volume is finely printed, as usual, on excellent paper. Readers who desire a more thorough and detailed account of its contents and of the many interesting legal questions it contains are recommended to read Dr Noirot's excellent commentary in *P'Ami du Clergé*, 1951, pp. 657, 689 and 726.

The Marriage Law of England. By J. C. Arnold, LL.B. Pp. 150. (Staples. 12s. 6d.)

THERE exist a certain number of handbooks explaining the civil marriage law of this country, notably May's *Marriage in Church, Chapel and Register Office*, which the clergy have found useful and even necessary for the due performance of their parochial ministry. It is essential, however, to keep pace with the modifications which have taken place in recent times. A Marriage Act consolidating the law and repealing various odd statutes dating from Henry VIII's time came into operation 1 January 1950, and we are not aware of any serious changes that have taken place since then. Mr Arnold gives us the text of this Act and its schedules accompanied by a learned commentary thereon. Divorce does not enter directly into his discussions, though the ominous comment is made in the preface that the theory that refused legal recognition to anything but a "monogamous" union is now beginning to recede. The law only requires that if there has been a prior marriage it must be cleared away effectively before another valid marriage can take its place.

The clergy will welcome this clear explanation by a competent lawyer of such puzzling points as the difference between a marriage which is void and one which is voidable, or of the rules governing legitimacy. But the work is chiefly of value, from a parish priest's point of view, in those sections which deal with the civil formalities of the contract; for although this is not, strictly speaking, a priest's business, the instructions of the Holy See make it clear that we must take every precaution for securing the validity of a marriage in civil as well as in canon law.

Previews and Practical Cases: Book V of the Code: Canons 2195-2414.

By Owen M. Cloran, S.J. Pp. 350, paper covers. (Bruce Publishing Co., Milwaukee. \$4.)

THE professor of canon law of Saint Mary of the Lake Seminary, Mundelein, is impressed, as all professors of the subject are, with the difficulty and complexity of the canon law *De Delictis et Poenis*. As an aid to the student he has published this collection of sixty-five cases, each based on some point of the law, and each explained and

illustrated in a most thorough manner. The author's acquaintance with the standard commentaries must be taken for granted. What is more remarkable is the way in which periodical literature has been studied and cited; for in canon law, as in most subjects, an expert must know the contemporary trends, and these are usually lacking even in the larger manuals. We have examined several of the case solutions very carefully, and have found them to be full and accurate: difficulties are not avoided and abundant authority is quoted on disputed points. But the conviction we have had for many years is strengthened: this fifth book of the Code needs simplifying if the Church expects the average priest to understand it.

Depth Psychology, Morality, and Alcoholism. By John C. Ford, S.J. Pp. 88. (Western College Press, Weston 93, Mass., U.S.A. \$1.)

AFTER dealing in a first section with the general principles of moral responsibility in the light of depth psychology, pages which show that the discoveries of psychoanalysis about unconscious motivation must not lead us to conclude that subjective responsibility is destroyed or even notably impaired, Fr Ford applies his findings to the question of moral responsibility in the alcoholic. The phenomena and symptoms of the sufferer are carefully examined, and his condition diagnosed as controllable; but probably the most important part of this examination is the author's conclusion that the condition is not, properly speaking, curable. The true alcoholic is abnormal where drink is concerned, his weakness is pathological, and the average person thus afflicted is liable to go through a process of gradual moral deterioration, arriving at a condition of moral and spiritual bankruptcy. The writer is a moral theologian of the first rank and, as we would expect, is able to preserve intact throughout his study the scholastic teaching on sin and human responsibility. It is not easy reading, but we believe that it will provide the theological student with the necessary background for a right estimation of the problem of the confirmed alcoholic.

The work is a reprint from the Proceedings of the Fifth Annual Meeting of the Catholic Theological Society of America, held at Washington, 26-28 June 1950.

The Progress of the Liturgy. By Dom Olivier Rousseau, O.S.B. Pp. 219. (Newman Press, Westminster, U.S.A. \$2.75.)

IN this informative and documented account of the liturgical movement Dom Rousseau traces its development from the beginnings of the nineteenth century up to the close of the pontificate of Pius X. Notwithstanding the reluctance of writers on this subject to define

the objective towards which the liturgical movement is progressing, we are given as an *obiter dictum* the following: the movement is "a return to ancient concepts as a remedy for an impoverished faith which cannot find in the elements of modern piety its total and complete sustenance" (p. 130), and throughout the work it is fairly clear that what distinguishes liturgical worship from other forms of public official worship in the Church is its traditional character.

An English reader will be disappointed in the chapter devoted to this country. Except for a couple of concluding pages depreciative of English Catholics, it is concerned with the ritualists of the Protestant establishment, whose worship cannot rightly be called liturgical at all, for by common consent the liturgy is the worship of Christ's Mystical Body, the Church. It is altogether misleading to speak of this sect within a sect as "The English Church", and whilst making every allowance for the outlook of French-speaking ecclesiastics, who quite often regard the Catholic Church in England as a body of no consequence, one cannot but marvel at a state of mind which can outline the liturgical movement in this country without mentioning Westminster Cathedral, where the liturgy has been carried out for something like half a century with a completeness, a dignity and a splendour hardly paralleled in Christendom.

This defect, which is a serious one, must not blind us to the merits of Dom Rousseau's work, which supplies conveniently in one cover an account of the chief liturgical developments in France, Germany and Belgium, an account which appears to be well balanced and accurate.

Revolution in a City Parish. By Abbé G. Michonneau. Pp. 189. (Blackfriars, London. 12s. 6d.)

The subject matter was discussed in an article in this REVIEW, 1947, XXVII, p. 307, by Fr Gerard Lake, S.J. We write under correction, but it appears that it is the book of M. l'Abbé Michonneau entitled *Paroisse, Communauté Missionnaire* which is now translated into English with perhaps too startling a title. For compared with some of the activities of the more progressive French clergy at the present time M. Michonneau's parochial zeal is conservative rather than revolutionary. We do not much like the form of question and answer in which the work is cast, though it does serve as a medium for the curiosity of a visiting priest, and enables the parish priest to tell us all about his own doings without the appearance of blowing a trumpet. A notable feature, which again is absent from the zealous activities of some of his contemporaries, is the fact that the ideas of

M. Michonneau, call them revolutionary if you will, are favoured by bishops whose office it is to rule the Church of God: there is an interesting preface by Cardinal Suhard applauding the work (with a few rather negligible reservations), and a foreword to the English translation by the Most Rev. Richard J. Cushing, Archbishop of Boston. Briefly, the thesis is that the parish should be a missionary community whose purpose must be to bring into the stream of spiritual life the *non-pratiquants* of the district; this is done with a great measure of success at Colombes by causing all the people to have a share in running the parish, and particularly in its liturgical life. The book was well worth translating, for the problems which face us here and in America are not vastly different from those in France.

Père Lamy. By Comte Paul Biver. Translated by Mgr J. O'Connor, with a Preface by Jacques Maritain. Pp. 214. (Clonmore & Reynolds. 16s.)

THERE is already an excellent translation of a French work with this title published by Burns Oates & Washbourne in 1936, and containing many interesting photographs which are lacking in the new edition. The present book has some additional material, including about eighty pages of reminiscences and short articles from the *Bulletin* 1934-42 published by the Association of the Old Parishioners of this saintly priest. In substance, however, it is the same as the 1936 book, and it is not apparent why a fresh translation has been produced. A "life" by Count Biver is mentioned in one place which, if it exists, would probably have been more worthy of a translation. For this work, like its predecessor of 1936, is not a serious chronological biography informing the reader about the events and progress of Père Lamy's life, but rather a narration, either taken down at the time or recorded from memory, in which the Count plays the part of a spiritual Boswell. Perhaps the special character of the priest is best portrayed in this informal way, which gives the reader an insight into the spirituality of a very charming and apostolic man, devoted to the training of boys and young men, utterly selfless, and therefore closely united to God, our Lady and the Saints. Visions are recorded frequently in great detail, but we are often left wondering whether conversations between Père Lamy, our Lady, the Saints, and the Devil are records of what the priest believed to have taken place, or whether they are rather in the nature of sayings which he thought might very well have been uttered by these persons from another world if they had been present. The Devil is far more

amiable than the one the Curé of Ars had contact with, and one has to agree with him occasionally, since even the father of lies is capable of speaking the truth. When, for example, the priest assists at the marriage of a person without properly investigating his freedom, the devil observes quite correctly: "You've been done." Our Lady also utters a mild reproach: "You ought to be more careful." Père Lamy is a most arresting figure, and has attracted much attention in France and elsewhere. What we should like is a more informative relation about him, about the Order which he founded and which appears to have faded away during his lifetime, and about the organization of scouts and other youth movements in which he was primarily interested. Until this appears the book or its predecessor of 1936 is well worth pondering by all priests. It will persuade them of the truth in the quotation from St Ambrose on the title page of Newman's *Grammar of Assent*: "Non in dialectica complacuit Deo saluum facere populum suum."

E. J. M.

A Retreat. By John Cuthbert Hedley, O.S.B. Pp. ix + 266. (Burns Oates & Washbourne Ltd. 16s.)

BISHOP HEDLEY's *Retreat* needs no advertisement. The fact that this is the sixteenth edition is sufficient evidence of its perennial popularity. From its first publication some sixty years ago it established itself as a classic, distinguished, among the best of Hedley's works, for its solid theology, practical good sense, and clear and graceful style. Quite definitely it is a book that does not age; and it is safe to assume that, wherever the English language is spoken or understood, these discourses will continue to enrich and ennoble the souls of priests, religious, students, and the earnest laity. We may add that, in addition to its personal value as a book of meditations or spiritual reading, it is a most useful source to consult for sermons and conferences.

J. C.

Outline Books. By Sr M. Amsgar, O.P. *The Seven Sacraments.* 9d. *Miracles.* 1s. *Parables.* 1s. *The Rosary.* 1s. 6d. (Bloomsbury Publishing Co., Ltd., W.C.1.)

THE children themselves have called for large editions of these outline books, which were first issued from a duplicating press by the Dominican Sisters of Stroud; but private distribution could not keep pace with the demand for copies. Happily a good supply is now assured from a publishing house that specializes in books for practical work during the religious lesson. The four titles given above are sufficient indication of what the books contain. They are uniformly

excellent as means of impressing upon the young mind the truths underlying the well drawn illustrations.

The Happiness of Heaven. By a Father of the Society of Jesus. Pp. 372. (The Newman Press, Maryland. \$2.50.)

THIS is a reprint of a little work that has long been unobtainable. The first edition, published in 1871 and comprising 3000 copies, was exhausted in two months. A book of this nature could not have achieved such popularity had it not deserved it, and what was thought and said of it eighty years ago could be repeated today. Rightly regarded by the publishers as a classic of the spiritual life, it sets forth the whole of the doctrine of Heaven as taught by Revelation and expounded by the theologians. It is a book of solid doctrinal piety; but by homely illustration and an easy, readable style the author is able to accommodate these sublime truths to the capacity of the ordinary reader.

Unfortunately the price of this octavo volume (about 18s.) is prohibitive.

Le Saint du Jour. Par Henri Berthet. Pp. 330. (Lethielleux, 260 fr.)

THE author has selected one saint from the Martyrology of each day, giving a short biography and occasionally some moral reflections thereon. It is perhaps surprising that, amongst our English saints, St Richard appears on 3 April, but St Edmund does not appear on 16 November. One would have thought, since the body of the Saint is in France and venerated there as St Edmé, that this would have been an obvious choice. The explanation no doubt is that St Gertrude is fixed on that day in the universal calendar, and with so many saints to choose from it is not possible to please everyone in the choice made. In all those examined the historical facts are accurate and attractively presented.

Winning Converts. Edited by J. O'Brien. Pp. viii + 248. (Kenedy & Sons, New York. \$3.00.)

CONVERSIONS to the Church involve for every earnest priest a work of major importance. He will eagerly accept any proffered help in this section of his apostolic labours, particularly new ideas and practical suggestions in modern methods of interesting the enquirer after the truth. *Winning Converts* is a symposium of methods, by eighteen contributors, containing an abundance of quite different means to the one noble end we all have in view. The book deals solely with American conditions, but much of what is done in the U.S.A. can be adapted for our own country. As an indication of the liveliness

of America's Catholicity and the zeal of her priests, this book is of extraordinary value to every priest who has the care of souls.

Congregational Prayers. By Rt Rev. Mgr M. A. Schumacher, M.A., D.Litt. Pp. viii + 132. (St Anthony Guild Press, Paterson, N.J. \$1.00.)

Handbook of Third Order Secular of St Francis. By Basil Gummermann, O.F.M.Cap. Pp. x + 454. (St Anthony Guild Press, Paterson, N.J. \$4.50.)

Two manuals of prayers from America, well bound and well printed, contain much that can be of service to priests in England. Some of the hymns are too far away from our tradition to be of popular use, but many of the sets of devotions and most of the individual prayers can be readily adapted for various church occasions. The Third Order handbook is obviously quite particular in its application, but *Congregational Prayers* can be of general utility in varying our forms of devotional Services.

Light of Stars. By Evelyn Vos Wise. Pp. 205. (Clonmore & Reynolds, Dublin. 6s. 6d.)

A NOVEL about an American secular priest, beginning with designs on a curial post and ending as parish priest in a poor district of Baltimore, though not typical of priests in general, could find a setting in almost any country. A Graham Greene would no doubt tell the story more dramatically, but he could not do so with greater fidelity to truth than we find here. Everything is narrated, parish problems of all kinds, including housekeepers and devoutly censorious women, normal priestly ministry of the routine sort, and an occasional tragedy. When, finally, he is offered an important parish carrying a domestic prelacy, the priest very sensibly elects to remain with his flock. He has learned the secret of a happy life.

L. T. H.

Dictionnaire d' Histoire et de Géographie Ecclésiastiques. Fascicules LXIX-LXX. (Letouzey et Ané, Paris. No price stated.)

THIS double number completes the long, full and precise account of the life and labours of St Charles Borromeo, by Fr Roger Mols, S.J., of Louvain, which was begun in the preceding fascicule (THE CLERGY REVIEW November 1951); and, among other learned and valuable entries, it provides massive articles on Chartres, by Canon Yves Delaporte; on China, by Fr H. Bernard-Maitre, S.J.; on Cyprus, by R. P. Janin; and on Cîteaux and the Cistercian Order, by Dom J. Canivez, O.C.R.

J. J. D.

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THE welcome given to a new source of L.P. records is increased by the Nixa Company's choice of many unusual pieces, including several of ecclesiastical interest to Catholics. The choice seems influenced to some extent by the purpose of filling gaps and illustrating the development of musical ideas and technique, but the discs are enjoyable for their own excellence.

Pergolesi (ob. 1736) is chiefly remembered for his *Stabat Mater* (obtainable also on Decca 78s) scored for treble and alto voices and string orchestra, in a modestly dramatic and operatic style reckoned anathema in these days; yet the ear is pleased and the emotions often deeply stirred by the lovely sounds well recorded on this disc. The trebles and altos again have it all to themselves in the Palestrina selection which is not so comfortable on the ear and would have been better with boy sopranos. A *Magnificat, Salve Regina*, extracts from Masses and some motets, including *Hodie Christus natus est*, show the possibilities of polyphony without a foundation of basses, an attractive idea for Convent School Choirs. Many of the items are in *Laudate Pueri* published by Augener at 4s. 6d. The choral works composed by Mozart in his fifteenth year represent something midway, with a bias on the cheerful side, between the classical polyphony and the new florid Italian style; they more than hint at the splendour of the Masses to come and are excellently rendered and recorded. But the prize for recording should go to the sound engineers responsible for the Brass Choirs, samples of what the Germans call *turm-musik* played from towers and battlements by brass instruments and producing the effect, though more exhilarating, of vocal polyphony. The samples of the three Viennese Gabrielis are brilliantly

clear and smooth, a practically flawless record of an unusual type of music. They are equally successful with the disc of organ music happily entitled "Baroque", which really sounds like a church organ instead of a confused blare of indistinct notes: organists should get this fine disc. Monteverdi (ob. 1643) composed both in the old and new styles of church music. The latter is represented on this disc which gives us much more than the label indicates and includes *Iste Confessor*, an enchanting melody with a haunting instrumental interlude between the verses. Vivaldi, a Viennese priest and contemporary of Bach, on whom he had considerable influence, is engaging much attention at the present time. *Juditha Triumphans*, a little known Latin Oratorio, has thirty-six movements, and is a little monotonous perhaps for one session; but, apart from an occasional rough passage, it is so well sung and recorded that it cannot fail to appeal to all who worship at the shrine of Bach.

This batch of records should popularize the name of Nixa amongst collectors of recorded church music, and we may hope for more of the same kind. Anerio's *Requiem*, apart from the Introit (Sistine, H.M.V.), has never been recorded and would fit nicely on to one 12-inch L.P. disc.

CORRESPONDENCE

OUR LATIN LITURGY

(THE CLERGY REVIEW, 1952, XXXVII, p. 138)

The Rev. Clifford Howell, S.J., writes:

Fr Coyne's article is one of the most able presentations of the anti-vernacular case I have ever read, and is refreshingly free from the so often refuted objections drawn from universality, mysteriousness, and the famous old *argumentum de turismo*. His demonstration that the pro-vernacular arguments drawn from Eastern liturgies lack the cogency sometimes ascribed to them is, to my mind at least, very convincing. But I remain unmoved by many of his other arguments. To controvert all those to which answers could be found would necessitate an article longer than his own. Hence I venture on only one or two of them. And I beg to point out that I am not urging an all-vernacular liturgy, but merely hold that "the adoption of the vernacular in quite a number of functions may prove of great benefit to the faithful" (*Mediator Dei*, §64).

"It is significant," says Fr Coyne, "that in the West the adoption

of the vernacular for the liturgy has always been associated with movements away from the centre of unity." Unless I misunderstand him, Fr Coyne is implying that the desire to use the vernacular in worship is a *cause* (or at least a symptom) of the movement from unity. To me that desire signifies something quite different. The great heresiarchs were all brought up on the Latin liturgy. While still using an exclusively Latin liturgy they formed their heretical views. Apostatizing because of these, they desired to spread their errors, and adopted a vernacular liturgy as a highly efficient means of doing so. If they had stuck to a Latin liturgy they could not have had anything like the success which, alas, they did have in winning followers. Whence it may be argued that if a vernacular liturgy of heretical content so successfully spreads error, a vernacular liturgy of orthodox content would be an equally powerful weapon in the spread of truth.

As regards our own country Fr Coyne writes: "The rising of 1549 and later rebellions demanded the restoration of the Latin Mass . . . wherever rebel arms triumphed, there the Latin Mass reappeared." True enough; but surely this does not prove that our forefathers were fighting for the "latinity" of the Mass; they fought for the Mass itself. And the Mass of their day was in Latin; hence it was the Mass in Latin which reappeared. Supposing (what of course was not the case) that St Augustine had done for us what SS. Cyril and Methodius did for the Slavs, fashioning for us a liturgy in our own tongue, then the Mass of pre-reformation England would have been in English. Then it would have been the Mass in English which would have reappeared. The people were wanting the Mass, not the heretical Communion service. So I cannot agree that "to plead for such a thing now would be to go back on what our martyrs so valiantly defended". Our martyrs died for the Sacrifice of the Mass, not for the language in which that sacrifice happened, in their day, to be celebrated.

Of the Council of Trent Fr Coyne says that "after much discussion the fathers rejected the claims (for the vernacular) in the famous Canon 9. So the Church made it clear that circumstances had changed to such an extent as to invalidate any argument based on the fact that Latin had once been a vernacular". Canon 9 is certain; but Fr Coyne's conclusion from it is different from that drawn by Fr Hermann Schmidt in his exhaustive researches into the whole controversy as it was thrashed out at Trent. (*"Liturgie et Langue Vulgaire"*; *Analecta Gregoriana*, Rome 1951.) He there shows that the Council refused to adopt the views of the "Latin-only-Latin-for-ever" party; they considered it then inopportune to introduce any

language changes because these were being demanded by heretics for heretical reasons. To grant such changes—even though some loyal Catholics wanted them for right reasons—would at that time look like pandering to the heretics. But the Fathers were most careful to leave the way open for language changes should these, at any future date, become desirable. It looks as if that day is now dawning, for circumstances have greatly changed since then. Requests are coming not from heretics but from loyal Catholics; their reasons are not heretical but orthodox; the Holy See has granted many such petitions and is likely to grant more.

It is worth noting that ever since the problem cropped up the Latin-only party has fought a steadily losing battle in several spheres. At Trent there were many absolutely opposed to vernacular bibles. (Cf. Schmidt, *op. cit.*) But we have had vernacular bibles for a long time now. A century ago a strong party opposed vernacular missals for the laity. (Cf. Rousseau, "*Histoire du Mouvement liturgique*"; Ellard, *The Mass of the Future*; Jungmann, *The Mass of the Roman Rite*, I, 14.) Now the laity can have their missals. In both these battles the vernacularists finally triumphed because the official attitude of the Church is not that of condemnation, but, instead, gradual and controlled concession. Today the opposition is to the use of vernacular in the liturgy. But all the signs are that, in time, the vernacularists will win again. A significant pointer is a recent event in Italy. Last September there was a Liturgical Conference in Padua, attended by a Cardinal, several bishops, and over five hundred priests. They ended by sending to Rome a petition for a vernacular *Rituale*. If even the Italians, whose native tongue is so like Latin, are treading in the footsteps of the Germans, French, Austrians, Belgians, Czechs, Indians, etc., then even we poor Britons need not abandon hope!

THE PERIOD OF LOW FERTILITY

(THE CLERGY REVIEW, 1952, XXXVII, pp. 235-7)

Father Bonnar writes:

I would like to make a comment on the following sentence of E.J.M. in his note on the use of the period of low fertility: "If it be asked whether those married people sin gravely who observe the agenetic period for no adequate reason, the answer is that its gravity cannot be established on theological reasoning, since *objectively* the action is in itself lawful. . . ." I would respectfully suggest that the conclusion from this last reason ought then to be that there

is no sin at all. Yet we are agreed that such a conclusion would be wrong.

The true and complete answer seems to me to be:

(i) "If both parties consent, then restriction of the use of marriage to the period of low fertility is not *in itself* sinful." This means that *in itself* such a way of acting is neither a mortal nor a venial sin.

(ii) The motive inspiring such conduct may itself be sinful apart from any consideration of the nature of the sexual faculty. Thus, e.g. "selfishness is a moral fault, though not (when it stands alone) a grievously sinful one".

(iii) When this way of acting is followed without adequate reason, such "a married life . . . will generally be guilty of other moral faults also [i.e. besides selfishness], often grievous ones". These may be, e.g. cruelty or marital infidelity: or even (in practice) the forcing of this mode of life by one party on the other, the apparent mutual agreement not being really genuine.

(iv) Even when there is a real mutual agreement, there may be a sin against charity on account of the temptations which may easily be occasioned by this manner of living. I will not commit myself to saying that this is scandal in the strict sense but, when it does arise, it seems to me to be scarcely distinguishable from scandal.

(v) The apparent contradiction between saying that the exclusive use of the period of low fertility (even when there is no good reason for so acting) does not sin against the nature of the sexual faculty (given mutual consent) and the assertion that a "good and sufficient reason" is necessary, is only an apparent contradiction. Every moral action has to be taken *in concreto* and *in individuo* and, when that is done, no moral action, good or bad, is left in the textbook loneliness of one specific virtue. This is most emphatically true when we are dealing with a basically vital social faculty like the sexual faculty which has the most complicated contacts with every aspect of human life. As moralists we must of necessity segregate the various aspects of a human act in order to make a specific assessment of praise or blame but the complete moral picture of any act must be a composition made up of all such aspects. "Theological reasoning" then gives us the complete moral obliquity of any act not only in respect of specific malice but also of gravity.

(vi) Moralists, whether academic or pastoral, can easily ignore moral distortion which is not "serious" and can fail to get a complete picture of the serious results which can follow from things which are not in themselves wrong or are not seriously wrong. In the particular matter that we are now speaking of, the importance of this complete picture cannot be overrated.

What I have said here must not be taken to imply that exclusive use of the period of low fertility (without an adequate reason) is always a serious sin. Whether it is so or not must be determined by the criteria I have outlined in a very general way in this note. But the gravity or otherwise is determined by "theological reasoning" and cannot be determined by anything else.

THE CHURCH IN CORNWALL

(THE CLERGY REVIEW, 1952, XXXVII, pp. 73-80)

Mr Donald Attwater writes:

May I add a footnote to Dom Ambrose Whitehead's interesting article on the Church in Cornwall in your February issue. Among the forgotten minor celebrities who have lived in Cornwall, few are so forgotten as Vladimir S. Pecherin. This remarkable man was born near Kiev in 1807, the son of a rough and half-illiterate army officer: Vladimir, however, had a great talent for languages, studied in Germany, and became professor of Greek philology in the University of Moscow. But he was dissatisfied with his native land; he gave up his chair, and from 1835 was a revolutionary vagrant wandering about western Europe, a socialist tramp. Then he was reconciled with the Church (he had been brought up Orthodox, of course) and was ordained priest among the Redemptorists, whom he was allowed to leave in 1861. Pecherin died in 1885 in Dublin, after working in Ireland for many years and earning good repute as a preacher. His association with Cornwall was this—from 1845 to 1848 he ministered in Falmouth. Unfortunately nothing seems to be recorded of his life during that time. It would be interesting to know what impact Cornwall and its people made on the mind of this strange man, who was very characteristic of a certain type of Russian. There was an article on Pecherin by Victor S. Frank in *The Dublin Review* some years ago, from which I have got these particulars; and Dr Oliver mentions him (with some queer spelling) on page 380 of his *Collections*.

DID OUR BLESSED LADY DIE?

(THE CLERGY REVIEW, 1952, XXXVII, pp. 15, 189, 255)

Father Corr replies:

In reply to Father Valentin's courteous, indeed rather flattering, suggestion that I have discounted his evidence, I would say that my

argument counters it rather than discounts it. If it is eventually proved theologically that our Lady died, Father Valentin's texts will be seen to have been an expression of the dogma (widespread, but not universal) rather than a proof of it. As Pope Pius XII says, in *Munificentissimus Deus*, "Ecclesiae Liturgia catholicam non gignit fidem, sed eam potius consequitur." If, on the other hand, it is ever proved that she did not die, they will be seen to have been expressions of a stage of the progressive manifestation of Mary's privileges—a stage, namely, at which the truth was obscured in the Church thought not contradicted by the Church.

For a liturgical text to be conclusive it must either be didactic and Roman or universal and sanctioned by Rome. Otherwise its force is that of witness to the thought, belief or devotion of those who made use of it.

Liturgy, then, is always a witness to belief, but not always a conclusive proof of a dogma. And there are other witnesses, the Fathers and Doctors. Cardinal Piazza says:¹ "Concerning the death and resurrection of our Lady the consent of the Fathers and Doctors does not seem to be unanimous . . . there are today" (i.e. in the most modern epoch) "writers, such as Father Jugie and Monsignor Landucci, who uphold the thesis of St Epiphanius and Timotheus of Jerusalem" (i.e. the two most ancient writers on the subject, the one doubting, the other denying Mary's death).

Such being the case, the theological argument must be treated on its merits, with the aid of sound theological principles; and I think the best of these, in this context, is "potuit, decuit, fecit".

MARRIAGE: INTERNAL AND EXTERNAL FORUM

(THE CLERGY REVIEW, 1952, XXXVII, pp. 35, 191, 255)

Dr McReavy replies:

Canon Mahoney's amended solution of the case propounded under the above heading provides a basis for practical agreement, but appears to leave us divergent on the speculative question.

If Titius has failed to secure a canonical annulment of his earlier marriage, then, no matter how certain he may be of its invalidity, he is certainly bound in conscience to accept the presumption of the external forum, at least to the extent of treating his subsequent marriage to another woman as being, for all practical purposes, invalid. If this is all that Canon Mahoney means, when he describes

¹ In *Il Simbolo*, Vol. V, p. 209, Assisi, 1948.

the second marriage as "invalid in conscience", I entirely agree; but if, as I gathered, he means that it is necessarily invalid in fact, I must continue to differ, because I cannot see that there is any ground in law for such a view.

It is certain that the court's verdict on the first marriage establishes no more than a presumption. It does not pronounce it valid, but merely says: "Non constat de nullitate". It can be overthrown by contrary judicial proof, for matrimonial causes "*numquam transeunt in rem iudicatam*" (can. 1989). And the same must surely be said of any judicial declaration regarding the second marriage, in so far as it is a mere conclusion drawn from the canonical presumption regarding the first marriage. While the presumption stands that the first marriage is valid, the court must rule the second to be invalid; but, unless we are to hold that presumed *ligamen* has the same effect as real *ligamen*, or that failure to establish freedom canonically is itself a diriment impediment, the court's ruling cannot amount to more than a presumption. Since, however, marital rights derive only from a canonically conceded status, Titius is bound in conscience to regulate his public and private conduct according to this presumption, until it is canonically overthrown. It is in this sense that I understand the quoted comment of Cappello: "*Standum est pro valore matrimonii (prioris) non solum in foro externo, sed etiam in foro interno.*" The expression, "*standum est*", imposes a provisional rule of conduct, but leaves facts as they were.

[Further communications on this subject will be printed in June.—THE EDITOR.]

THE RESTORED PASCHAL VIGIL

A number of questions on this subject have been received too late for inclusion in the April issue. Replies will be held over until the early Spring of next year, so as to allow for the inclusion of any official solutions that may be given by the Holy See or by Ordinaries in the meantime.—THE EDITOR.

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